

# The County Durham Plan

## Duty to Cooperate Statement

June 2019

## **Section 1**

### **Purpose of this document**

This Statement forms part of the evidence base for Durham County Council's County Durham Plan (hereafter referred to as 'the Plan'). It sets out:

- This council's approach to legal compliance with the Duty to Co-operate in the production of the Plan;
- The ongoing engagement and discussions between Durham County Council, its neighbouring local planning authorities and the other prescribed bodies regarding strategic cross boundary issues;
- The outcomes that have been reached relative to the issues raised;
- how the outcomes of this cooperation have influenced our Plan;
- The governance arrangements and ongoing engagement that is taking place and will continue to do so; and
- A suite of Statements of Common Ground which have been developed with relevant authorities which in part sit in a context of a Memorandum of Understanding to Cooperate for the North East region.

This council has a longstanding legacy of joint working with our neighbouring local authorities and other external bodies in relation to evidence gathering, policy formulation and development management matters. Through this activity many strategic issues have been identified and resolved. This legacy has provided a positive platform upon which further dialogue has been based and which has informed the preparation of the Plan.

Section 2 of this document sets out the context for the Duty to Cooperate and the requirement for Statements of Common ground. Section 3 gives an overview of dialogue on strategic planning matters and Section 4 sets this out in detail by local authority, Section 5 does the same for prescribed bodies and Section 6 sets out next steps.

From the outset it is important to acknowledge that whilst this document has been prepared for Submission of the County Durham Plan for examination it is a 'living' document which will be reviewed and updated on an ongoing basis.

## **Section 2**

### **Background**

#### **Introducing the ‘Duty’**

The Duty to Cooperate was introduced by the Localism Act 2011 in the wake of the abolition of the regional and sub-regional tiers of planning. It places a duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters. The Local Planning Regulations 2012 (Part 2: Duty to Cooperate) prescribes which bodies are subject to the Act.

Compliance with the duty is tested at the examination in public of the development plan, where the Planning Inspector will assess whether the local planning authority has complied with its duty to co-operate with other local authorities during the preparation of the Plan.

Section 33A of the Planning and Compulsory Purchase Act 2004 requires local planning authorities and prescribed bodies to cooperate in the preparation of development plan documents in order to maximise their effectiveness.

Paragraph 25 of the National Planning Policy Framework (NPPF) (2019) prescribes that strategic policy-making authorities should collaborate to identify the relevant strategic matters which they need to address in their plans. Paragraph 26 states that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.

Local authorities are also expected to work collaboratively on strategic planning priorities in consultation with Local Enterprise Partnerships, Local Nature Partnerships, private sector bodies and utility and infrastructure providers.

In addition to demonstrating that the submitted Plan has been prepared in accordance with the Duty to Cooperate, we must also demonstrate how our joint working has influenced the final Plan.

This Plan is being submitted for examination beyond the transitional period relating to the 2012 NPPF and will therefore be considered against the 2019 NPPF and associated Planning Practice Guidance (PPG).

#### **The Role of a Statement of Common Ground**

In the Planning for the Right Homes in the Right places consultation document in September 2017 the government identified a number of changes to the approach to the Duty to Cooperate including the introduction of Statements of Common Ground (SoCG). The main purposes of SoCGs are to:

- Increase certainty and transparency;
- Encourage all local planning authorities to co-operate effectively and seek;
- agreement on cross boundary issues; and
- Help local planning authorities demonstrate evidence of co-operation.

The move to Statements of Common Ground was confirmed with the publication of the revised NPPF which at paragraph 27 states that in order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance and be made publicly available throughout the plan-making process to provide transparency.

The consultation document proposed that within 12 months of the publication of NPPF (July 2018) all local planning authorities should have a statement of common ground in place and within 6 months an outline statement. Durham County Council's outline statement was published in January alongside the Pre-Submission Draft Plan<sup>1</sup>.

### **Relevant Adjoining Authorities**

The Tyne and Wear local authority areas of Gateshead, Northumberland, and Sunderland adjoin County Durham's northern boundary. Together with South Tyneside, Newcastle and North Tyneside these are collectively referred to as the 'LA7'. This geography is contiguous with the North East Local Enterprise Partnership (NELEP).

County Durham also has important relationships with local authorities to the south of the county including Hartlepool, Darlington and Stockton which together with Middlesbrough and Redcar and Cleveland make up the Tees Valley Local Enterprise Partnership and Combined Authority.

Relationships also exist with the counties of Cumbria and North Yorkshire, in particular in relation to minerals and the districts of Eden and Richmondshire and the North Yorkshire Dales National Park.

### **Other Relevant Local Authorities**

To identify any other relevant authorities not adjoining the county we have considered functional dependencies or interrelationships which are relevant to plan making, predominantly in relation to minerals and waste planning matters. This has resulted in important and necessary dialogue with a number of authorities more physically remote from the county, namely Derbyshire County Council, Derby City Council., Nottinghamshire County Council, Yorkshire & Humber, Suffolk Council, Lancashire Council, Cheshire East Council, Cheshire West Council, Chester City Council, West Sussex Council and Wakefield Council.

### **Prescribed bodies**

The Local Planning Regulations 2012 (Part 2: Duty to Cooperate) prescribes which other bodies we must cooperate with. These are identified in Part 2 of the Town & County Planning (Local Planning) (England) Regulations 2012 (as amended) which are applicable to County Durham are:

- The Environment Agency;
- Historic England;

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<sup>1</sup><https://democracy.durham.gov.uk/documents/s101210/Appendix%2011%20-%20Pre-Submission%20Statement%20of%20Common%20Ground%20Outline%20Statement.pdf>

- Natural England;
- The Homes and Communities Agency (now called Homes England);
- Clinical Commissioning Groups;
- Office for Rail Regulation;
- Civil Aviation Authority (CAA);
- Highways England;
- The Marine Management Organisation (MMO);
- The Integrated Transport Authority (NEXUS); and
- Highways Authority (i.e. Durham County Council).

With the exception of the MMO all of the above bodies have a countywide scope. As local Enterprise partnerships (LEPs) are not defined by statute, they are not covered by the 'duty to cooperate'. However, LEPs are identified in the regulations as bodies that those covered by duty 'should have regard to' when preparing local plans and other related activities. Their role in supporting local authorities in plan preparation, particularly in developing the evidence base, is also highlighted in NPPF.

PPG notes that the prescribed bodies play a key role in delivering local aspirations and that cooperation between them and local planning authorities is vital to make local plans as effective as possible on cross boundary matters. It is noted that the bodies should be proportionate in how they do this and tailor the degree of cooperation according to where they can maximise the effectiveness of plans. PPG notes that the duty requires active and sustained engagement, and it is unlikely that this could be satisfied by consultation alone.

### **The Scope of Cooperation Required**

The NPPF expects that all of these public bodies will diligently work together on areas of common interest and strategic priority for the 'mutual benefit of neighbouring authorities'. It identifies a list of strategic priorities that are expected to cross administrative boundaries and will require collaborative working to meet development objectives that cannot be met wholly within one administrative boundary when writing development plan documents.

These priorities include:

- The homes and jobs needed in the area;
- The provision of retail, leisure and commercial development;
- The provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the
- The provision of minerals and energy (including heat);
- The provision of health, security, community and cultural infrastructure and other local facilities; and
- Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

NPPF requires us to demonstrate evidence of having effectively cooperated to plan for issues with cross boundary impacts when their local plans are submitted for examination. In accordance with these requirements this document demonstrates that there has been a continuous process of engagement from the inception of the Plan.

The duty to cooperate is not a 'duty to agree'. It is within this context that this document seeks to demonstrate that we have made every effort to seek necessary agreements and cooperation over strategic planning matters prior to submitting the Plan for examination.

## Overview of How We Have Been Cooperating

It is important to note that the Duty to Cooperate is a duty to demonstrate that engagement and cooperation has taken place regarding strategic matters and that attempts to resolve strategic issues have been made wherever possible. Durham County Council is confident that it can demonstrate compliance with the Duty by way of providing evidence of continuous, constructive engagement through a number of different methods during the stages of preparation of the Plan. This includes:

- **Consultation with prescribed bodies:** Durham County Council has undertaken continuous engagement and cooperation with prescribed organisations and authorities identified in the 2012 Regulations and has complied with the requirements of our adopted Statement of Community Involvement;
- **Regional working with local planning authorities:** Durham County Council has undertaken engagement with its neighbouring authorities at Director and Heads of Service level down to officer level throughout plan preparation. There has also been member engagement on matters including through the North East Combined Authority (NECA);
- **Responding to cross boundary strategic priorities:** Durham County Council can demonstrate that consistent and ongoing cooperation has taken place and will continue to take place in regard the required strategic priorities and topics of NPPF;
- **Undertaking collaborative policy development:** Durham County Council have worked collaboratively with neighbouring authorities and prescribed bodies in the development of policy content within successive stages of the County Durham Plan.
- **Maintaining a joint evidence base:** Where appropriate, Durham County Council has continued to work jointly with prescribed bodies, neighbouring authorities and others to develop evidence base to inform the plan making process for example the Strategic Flood Risk Assessment, the Water Cycle Study and the Joint Local Aggregate Assessment.

## Regional and Sub-Regional Governance Arrangements

The North East has a long history of successful joint working and collaborative plan-making in respect of strategic planning and transport matters. The 2008 Regional Spatial Strategy was the last regional plan in North East England. It has been followed by other positive examples of joint plan-making in the region albeit on a smaller scale. Since the abolition of regional planning in England other partnerships have formed to govern and influence cross boundary strategic planning. The creation of the North East Local Enterprise Partnership (NELEP) and Tees Valley Local Enterprise Partnership (TVLEP) in 2011, the North East Combined Authority (NECA) in 2014 and the Tees Valley Combined Authority (TVCA) in 2016 formalised these working relationships. The NECA brought together seven councils serve County Durham, Gateshead, Newcastle, North Tyneside, Northumberland, South Tyneside and Sunderland to support the work of the NELEP with powers over transport, economic development and regeneration. The TVCA brought together five councils, Darlington, Stockton, Hartlepool, Middlesbrough and Redcar and Cleveland.

On 2 November 2018 the Government agreed to devolve powers and funding, to form a new Mayoral-led North of Tyne Combined Authority covering Northumberland, North Tyneside and Newcastle local authorities. The North East Combined Authority geography was reduced and is now, made up of the four local authorities south of the Tyne: Durham, Gateshead, South Tyneside and Sunderland. Transport matters for the North East region are overseen by all seven local authorities via a single joint committee, while the North East LEP continues to advocate for the region as a whole. This is illustrated in the figure below.

### Governance for Strategic Planning in the North East

<b>Seven Local Authorities (LA7)</b>	Northumberland County Council	Durham County Council
	Newcastle City Council	Gateshead Council
	North Tyneside Council	South Tyneside Council
		Sunderland City Council

<b>Two Combined Authorities</b>		Northumberland County Council	
		Newcastle City Council	
		North Tyneside Council	Gateshead Council
			South Tyneside Council
			Sunderland City Council

<b>One Transport Committee</b>	North East Joint Transport Committee
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<b>One Local Enterprise Partnership</b>	
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North East Local Enterprise Partnership (NELEP)

The NELEP covers the seven local authority areas of Northumberland, Newcastle, Gateshead, North Tyneside, Durham, South Tyneside and Sunderland. A strategic vehicle led by the private sector, it is responsible for promoting economic growth in the North East. These authorities share an ambition to create the best possible conditions for growth in jobs, investment and living standards and to make the north east an excellent location for business, to prioritise and deliver high quality infrastructure and to enable all the people of the area to raise their skill levels and to benefit from economic growth.

One of the main areas of work since the establishment of the NELEP has been the preparation of the Strategic Economic Plan (SEP)<sup>2</sup> for the North East which has involved partnership working between the private, public and voluntary sectors. The SEP sets out a vision and investment programme for the area to 2024 with the aim of strengthening the area's economy and providing more opportunities for businesses and communities. It's overarching vision is to deliver 60,000 private sector jobs and provide over 100,000 jobs in total across the NELEP area. In March 2014, the NELEP published its SEP. The SEP was updated in January 2019 with a focus on providing updated data and considering new policy drivers rather than a new strategy. It records that up to December 2018 64,600 new jobs had been provided across the area, of these 49,600 were 'better' jobs classed as managerial, professional and technical. The development plans in the region reflect the vision and investment programme of the SEP and contain key policies for its delivery.

NELEP is also leading on the development of a local industrial strategy (LIS) for the region which is being informed by the economic priorities of the seven councils and two combined authorities. The LEP is collating evidence from each council and commissioning a productivity study to articulate the region's sectoral strategy and response to the government's 'Grand Challenges' of the National Industrial Strategy.

LEP partners have recently collaborated to produce the region's response to the government's National Infrastructure Assessment and the priorities for building a digital society, low cost and low carbon energy, revolutionising road transport, transport and housing for thriving city regions, reducing the risks of drought and flooding, and choosing and designing infrastructure - all priorities for Northumberland that are reflected in the submission draft Local Plan.

NELEP facilitates the LA7 Economic Directors, Transport Officers and Planning Leads networks, supporting the work of the seven LAs with expert capacity and resources, coordinating collaborative funding bids for Enterprise Zones, Transforming Cities Fund, Local Growth Funding, European Funding and other strategic infrastructure projects of shared regional benefit.

## **North East Combined Authority**

In April 2014 the seven north east authorities established a North East Combined Authority (NECA), a new legally independent body to lead collaboration between local authorities on transport and economic growth. The work to establish this body has also supported the duty to cooperate at an elected member level. Despite the subsequent outcome of devolution in the North of Tyne, all seven local authorities remain members of the North East Local Enterprise Partnership, the North East Joint Transport Committee and support Invest North East England which coordinates business investment enquiries for the region. Therefore, whilst governance arrangements for sub regional working are changing over

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<sup>2</sup> <https://www.nelep.co.uk/the-plan/>

time, the relationships and commitment to effective cooperation for the benefit of all in the region persist.

### **Tees Valley Combined Authority and Local Enterprise Partnership**

Tees Valley LEP was established in 2011 and covers the administrative areas of Darlington, Stockton, Hartlepool, Middlesbrough and Redcar and Cleveland. This business-led partnership involves local authorities and business representatives working together to drive economic growth, create jobs, improve infrastructure and raise workforce skills within the local area.

Tees Valley Combined Authority was established in 2016 which further cemented the relationship between the public and private sectors in Tees Valley, as the Combined Authority and the LEP came together as one organisation, with a shared purpose and brand. Private sector members of the LEP play a key role in influencing the development and delivery of economic policy and initiatives in Tees Valley. Members come together regularly to ensure that the unique voice of business is heard, and influences decision making.

Although not a member of the Tees Valley LEP or Combined Authority, Durham County Council work closely with those bodies on cross-boundary issues particularly related to economic growth and investment and transport. Officers and members also attend joint meetings on a regular basis.

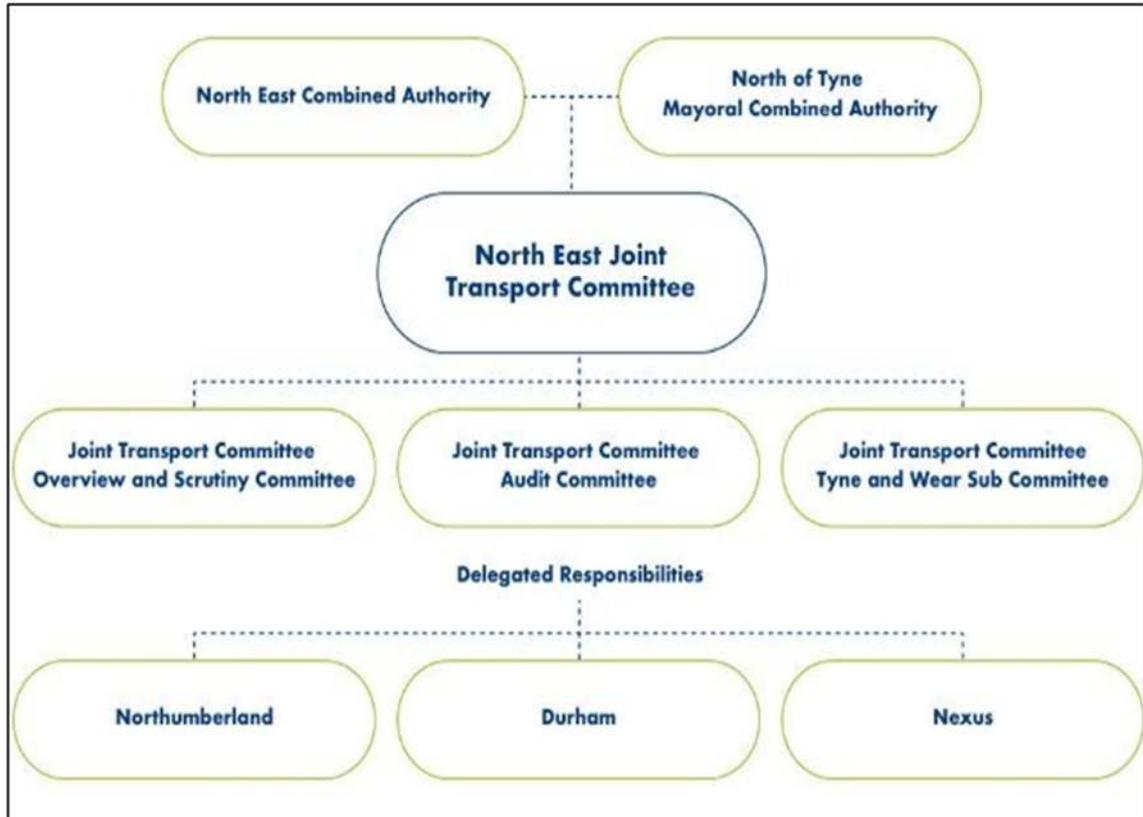
### **North East Joint Transport Committee**

The North East Joint Transport Committee (NEJTC) brings together the seven north east local authorities. Transport is of critical strategic importance to the North East and the collaborative working allows effective decision making across the region, which ensures that the local needs and priorities are delivered. The NEJTC:

- Provides leadership and a united voice on key strategic transport issues;
- Links strategic transport planning with economic priorities;
- Provides strong representation on transport issues of national significance including rail, air travel, strategic road network and our ports; and
- Provides more effective coordination and enables improvement to the area's public transport network.

The NEJTC is supported by a Heads of Transport Officers Group and a range of sub-groups including Strategic Highways, Sustainable Transport, and Technical Analysis. The Heads of Transport group meets on a monthly basis and ensures a strategic approach to the development of transport policy for the seven authorities taking cognisance of current and emerging land use priorities. In 2019, the LA7, through the NEJTC, will prepare a joint transport plan for the next 20 years which will aim to provide affordable, attractive, reliable, safe, healthy transport choices for businesses, residents and visitors while enhancing the environment. The governance structure for transport is shown below.

### **Transport Governance Structure**

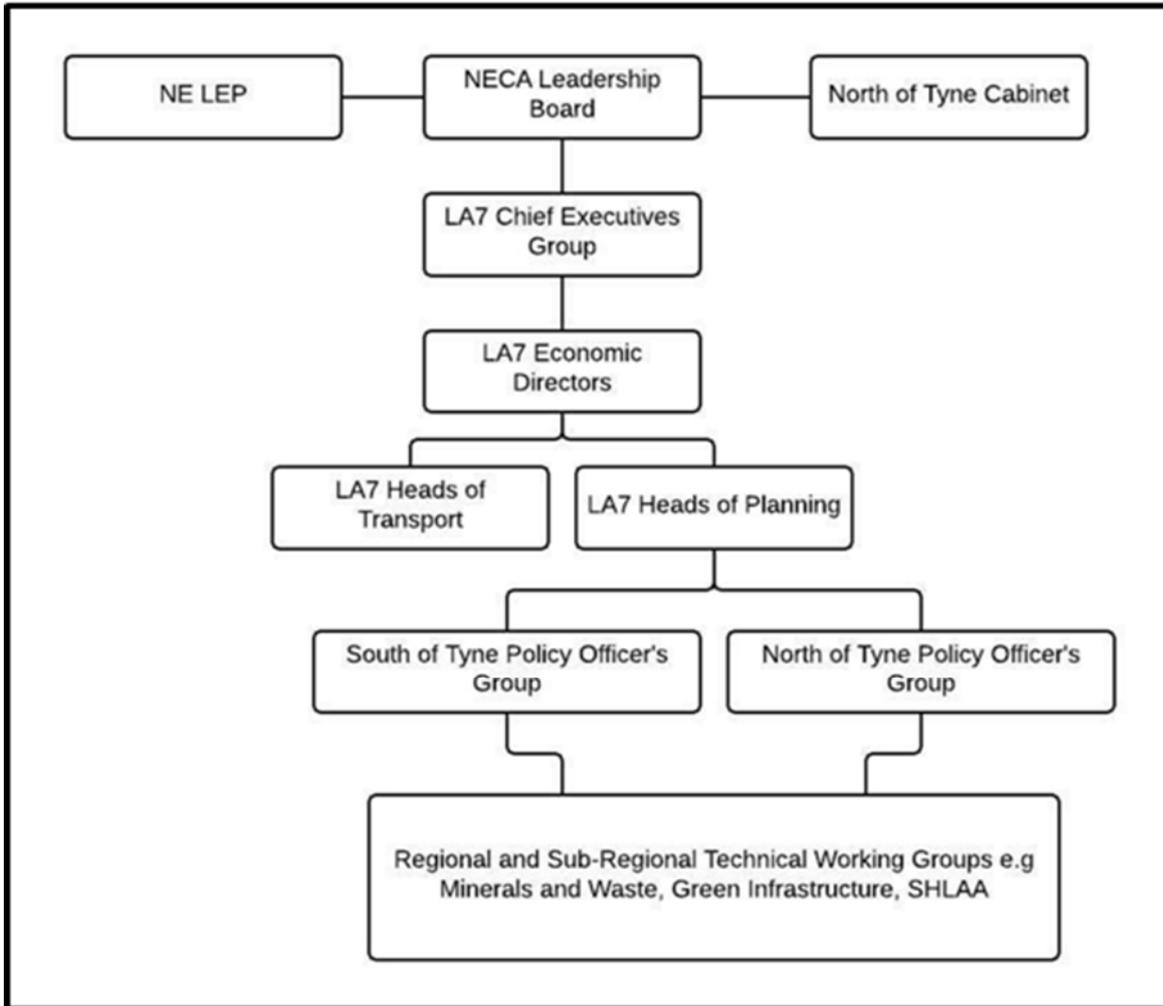


### North East Rail Management Unit

The North East Rail Management Unit (NERMU) meets monthly and comprises all 13 local authorities in the North East and Tees Valley, the relevant combined authorities, North Yorkshire County Council, Cumbria County Council, Nexus and Network Rail. The meetings alternate between planning and performance management with all train operators in the North East attending the performance management meeting. NERMU has a role in managing the Northern and Trans-Pennine rail franchises and acts as a conduit between the councils and the rail industry.

### Governance Arrangements for Strategic Planning

In respect of plan making there are additional arrangements that sit below and within the regional bodies and partnerships described above that assist in dealing with strategic cross boundary planning matters in the region. The figure below illustrates these arrangements.



### LA7 North East Heads of Planning Group

The North East Heads of Planning Group consists of the Heads of Planning from Durham, Newcastle, Gateshead, North Tyneside, Northumberland, South Tyneside and Sunderland authorities. The group was formally established on 19 January 2012, meeting at least quarterly to discuss high-level, cross-boundary planning issues and share strategic and procedural best practices.

The Heads of Planning Group reports through to the LA7 Economic Directors Group and then onwards to the Chief Executives and Leadership Board (comprising the seven leaders and Elected Mayors). This group agreed a formal Memorandum of Understanding (MoU) which set out jointly agreed approaches to strategic planning matters across the NELEP/NECA area. The MoU was endorsed by Northumberland County Council on 12 November 2013 and signed off by Chief Executives and Leaders of the seven Local Authorities in June 2014.

A joint position statement was also prepared in Spring 2013 and appended to the MoU. It sets out the strategic planning issues of agreement amongst the seven Local Authorities in respect of the Duty to Cooperate. The position statement recognised that each authority's Local Plan is at a different stage of preparation. The seven authorities are all seeking to promote sustainable economic growth, meet objectively assessed needs, retain their working age population and address population ageing.

It was agreed at LA7 Heads of Planning on 3 May 2019 that the Regional Position Statement should be retired because it was considered that much of the content was out of date. However, there is no change to the agreements regarding the distribution of housing and jobs among the authorities in their development plans and the commitment to work together remains.

### **South of Tyne Policy Officer's Working Group**

As adjoining urban authorities, Durham County Council has an active and constructive working relationship with Sunderland City Council, Gateshead Council and South Tyneside outside of high-level meetings. This is cemented through a South of Tyne Working Group which sits below the Heads of Planning Group and runs parallel to a North of Tyne Policy Officers Working Group (comprising of the remaining three North East authorities).

As part of the South of Tyne working group the authorities have engaged regularly throughout preparation of their respective local plans. This engagement has sought to consider the strategic cross boundary implications of proposed growth and subsequent infrastructure requirements. The work has resulted in changes to emerging policy over time and is reflected in the County Durham Plan Submission Draft. More detail of these discussions is set out in Section 4.

### **North East Minerals and Waste Planning Policy Officers Group**

The North East Minerals and Waste Planning Policy Officers Group meet bi-annually. The group includes all North East authorities, Cumbria County Council, North Yorkshire County Council and relevant stakeholders such as the Environment Agency and the Marine Management Organisation. The group discusses issues of mutual interest in relation to planning for minerals and waste, collaborates on evidence preparation where relevant, and updates on progress with policy development. The group started in 2015 and incorporates and supersedes the Northern Counties Planning for Minerals and Waste Group and the North East Waste Planning Group which previously met.

### **North East Aggregates Working Party**

The North East Aggregates Working Party (AWP) meets at least once a year. The North East AWP covers a cluster of thirteen Mineral Planning Authorities in North East England over the sub-regional areas of County Durham, Northumberland, Tees Valley, and Tyne and Wear. It is one of a number of similar groups throughout England and Wales. Its membership is made up of the thirteen Mineral Planning Authorities, Ministry of Housing, Communities and Local Government (MHCLG), the Marine Management Organisation (MMO) and the aggregates industry.

The AWP has a role in helping to plan for a steady and adequate supply of aggregate minerals through providing data on sales, reserves and planning permissions for aggregate minerals and providing technical advice on the supply and demand for aggregates from their areas.

### **Tees Valley Combined Authority and LEP**

The council attend the quarterly Tees Valley Development Plan Officers Group. All Tees Valley authorities attend as do representatives of the Tees Valley LEP. Every alternate meeting adjoining authorities including, Durham County Council, North Yorkshire County Council, Yorkshire Dales National Park Authority and Richmondshire District

Council also attend. This is supplemented by topic based meetings (for example to discuss the template for Statements of Common Ground) and other one to one meetings between authorities including officers and members.

### **Environment Partnerships**

There are currently two Nature Partnerships within the region that include land in the county. The Northern Upland Chain LNP covers a geography in the west of the county and encompasses Northumberland National Park, North Pennines AONB, Yorkshire Dales National Park, Nidderdale AONB and the Forest of Bowland AONB. The North East England Nature Partnership includes the remainder of the county and runs north to the Scottish border.

Durham County Council also engage as a permanent member of the North Pennines AONB Partnership and the Heritage Coast Partnership. The joint work of the groups has resulted in agreed policy approaches to the AONB and the Heritage Coast in respect of the Plan and will continue in its implementation and assisting in their management and protection.

### **Flood and Water Management**

Durham County Council's Local Planning Authority (LPA), Lead Local Flood Authority (LLFA), Highways and Emergency Planning teams work collaboratively to ensure planning policy and decisions support County Durham's Local Flood Risk Management Strategy 2016-2020. This is coordinated through the Strategic Flood Risk Management Partnership.

Durham LLFA is also a member of Northumbria Regional Flood and Coastal Committee (NRFCC), the Durham Strategic Flood Prevention Group and the County Durham and Darlington Local Resilience Forum. The Regional Flood and Coastal Committee was established by the Environment Agency encompassing the seven North east authority areas as well as Stockton on Tees, Darlington and Middlesbrough Councils. The LLFA consistently attends meetings to determine the medium-term programme for Flood and Coastal Risk Management (FCRM) Grant in Aid and Local Levy funding for flood alleviation schemes that are delivered by flood Risk Management Authorities (RMAs). The LPA also holds regular meetings with the Environment Agency, Northumbrian Water and RMAs.

## **Section 3**

### **Overview of dialogue on strategic planning matters**

In the context of the above the following common strategic matters have been at the forefront of discussion and collaboration throughout the preparation of the Plan:

- Population and Housing
- Economic Growth and Planning for Jobs
- Shopping, Leisure and Tourism requirements
- Transport and connectivity
- Conserving and enhancing the natural and built environment
- Supply of Minerals
- Waste
- Wastewater Treatment
- Green Belt

This section is a general overview of the key strategic issues, Section 3 sets out in detail, specific issues that were the focus of discussion with individual neighbouring authorities and other bodies.

### **Population and Housing**

The establishment of future population and housing requirements is a cross boundary matter in respect of any shared housing market areas, and the functional relationships represented by travel to work areas. However, the 'Strategic Housing Market Assessment' found that County Durham is a self-contained housing market. Through the Duty to Cooperate it has also been confirmed that the County Durham HMA does not overlap with any other local authority boundaries or other HMAs. Furthermore, no local authority has asked Durham County Council to make provision to meet a proportion of their housing need and similarly all have confirmed that they would not wish to meet a proportion of our housing need.

As previously noted the LA7 agreed that all authorities are seeking to retain or encourage growth to support sustainable economic growth, maintain a proportion of economically active population, accommodate the trend of ageing population profiles and to meet their own objectively assessed needs within their administrative boundaries.

Housing needs in County Durham have been developed in line with the government's standard methodology as set out in Planning Practice Guidance and reflect the government's technical consultation published on 26 October 2018. This approach results in an LHN of 1,287 homes per annum. Planning Practice Guidance notes that the standard method for assessing local housing need provides the minimum starting point for determining the number of homes needed in an area. In this context, the Guidance notes that authorities should also consider previous delivery levels. Over the past five years (2013/14 - 2017/18) the council has delivered on average 1,308 homes. This record of delivery can be considered as being indicative of a greater housing need above the minimum starting point. For this reason, housing need in County Durham is based on the minimum assessment for Local Housing Need

adjusted for recent past delivery. The adjustment made to accommodate for past delivery, would also serve to deliver more affordable homes in County Durham to meet affordable housing needs. The housing need for County Durham is therefore 1,308 dwellings per annum and when applied over the Plan period this equates to 24,852 dwellings.

As Durham is a self-contained housing market, using the government's standard methodology to calculate need and it has been confirmed that our adjoining authorities do not wish to meet a proportion of our housing need and do not require us to meet theirs, there are no cross-boundary issues relating to this issue.

### **Gypsies and Travellers and Travelling Show People**

The needs and provision in the county with respect to Gypsies and Travellers and Travelling Show people were also agreed to be provided for within the respective LA7 authorities. Any need would therefore be contained within the county however the 'Traveller needs Assessment' (2019) found that there was no need for any allocations to meet these needs. Whilst there are some cross-boundary movements of travellers, none of our neighbours have identified any cross-boundary issues with respect to provision for these groups. There continues to be discussion regarding the future provision of transit sites.

### **Economic Growth and Planning for Jobs**

The A1 and A19 corridors together with the urban cores of Tyne and Wear, Durham and Tees Valley are the key employment locations in the North East. These are supported by other locations which serve are more localised function. Through the North East Combined Authority and the North East and Tees Valley LEPs engagement in respect of economic growth is ongoing and effective on a number of levels including in the preparation of the North East Strategic Economic Plan. All local authorities have used economic growth modelling in their employment land studies to forecast job growth, and how much land would be required to accommodate these jobs. They have also considered the quantity and quality of their portfolios of sites and premises to meet future demand. To ensure job forecasts are aspirational but realistic, a number of methods are utilised such as econometric growth scenarios, employment targets linked to population projections or historic take-up rates and all including consultation with businesses and the commercial development industry.

In considering appropriate geographies for joint working in respect of economic matters, the authorities in the region recognised that there is no standard approach to defining functional economic market areas. Functional economic market areas therefore vary according to economic sectors. For the purposes of planning for strategic economic growth objectives and investment into the region there is a consensus that it is appropriate to work at the North East LEP area level, comprising the seven north east local authorities - this is the basis of working with the grain of the Strategic Economic Plan. Durham also has economic relationships with authorities across Tees Valley.

Numerous discussions have taken place regarding methodologies and outcomes of authority's Employment Land Reviews including a workshop hosted by Durham County Council in February 2018. At his workshop it was agreed that the council's approaches were similar and the approaches to deallocation, new allocation of land and protection of land were also generally in tune with other stakeholders attending (mainly other councils from across the region). The key locations for future growth contained within County Durham have therefore been recognised as being in alignment with our neighbour's strategies.

### **Shopping, Leisure and Tourism Requirements**

The 'Retail and Town Centre Study' (2018) identifies fourteen catchment zones, some of which extend into adjoining areas outside of the county such as Houghton-le-Spring, parts of Gateshead, Darlington, Stockton-on-Tees and Northumberland. In understanding retail needs within the county, the Study also considered expenditure inflows and outflows from outside of the county. The Study has also taken into account existing and emerging retail schemes in adjoining authorities which could influence shopping and leisure patterns in the county (pages 21-22, paras 4.15 to 4.17 of the Retail and Town Centre Study).

### **Transport and Connectivity**

The North East is a well-defined economic region with a transport network which consists of strategic road and rail links, ports and Newcastle Airport, plus an extensive network of local roads, bus and local rail/Metro services.

The North East Combined Authority (NECA) produced a transport manifesto in 2016 which acknowledged the importance of working together to meet people's needs in the context of transport networks that cross council boundaries. A unified approach is taken to the consideration of development proposals that impinge on neighbouring areas, and on the approach to public transport corridors. Councils seek to make sure that development and regeneration plans effectively plan for transport and take account of the ability to change between different forms of transport. The North East Combined Authority (NECA) and North of Tyne Combined Authority (NOTC) are currently preparing a Regional Transport Plan.

It is recognised by the South of Tyne Group that the Leamside Line represents a major opportunity to improve rail services and cross boundary links into the major conurbations north and south of County Durham. Gateshead, South Tyneside, Durham County Council and Sunderland remain supportive of the reopening of the Leamside Line ensuring the route is protected in respective local plans.

### **Conserving and Enhancing the Natural and Built Environment**

The natural environment is recognised as one of the region's key assets. The North East is rich in biodiversity and geodiversity; it contains many of the UK's most important habitats, species and geological features, and includes the Durham Coast Special Area of Conservation (SAC), Northumbria Coast Special Protection Area (SPA), North Pennines Area of Outstanding Natural Beauty and Geo Park (NPAONB) and the Northumberland, Yorkshire Dales and Yorkshire Moors National

Parks. The conservation of biodiversity, and the natural resources on which we all depend, is a key element of sustainable development. The authorities in the North East do not consider these assets in isolation, they are considered as an integral part of the natural and nature conservation resource across the region. Through the two Local Nature Partnerships, the AONB Partnership, the N2K Partnership, local wildlife partnerships, landscape partnerships and river catchment partnerships, Durham County Council and other councils and partners including Natural England and the Environment Agency are working to protect, create, restore and maintain high quality and attractive environments in their policy making and decisions on development.

## **Coastal Management**

The eastern boundary of County Durham bounds the North Sea Coast, adjoining Sunderland City's coastline to the north and Hartlepool Borough's to the south. Most of this coastline is a designated Heritage Coast, SAC, SPA and RAMSAR sites. The authorities have engaged in specific discussions on the policy response to managing development along the coast including the management, protection and enhancement of sensitive biodiversity and geodiversity. In addition, we have engaged on an ongoing and constructive basis with the Marine Management Organisation in the production of the emerging North East Marine Plan.

This council has been working with Natural England, the RSPB, the Heritage Coast team and neighbouring councils, to review its approach to the assessment and management of impacts arising from new development on specially protected sites on the coast. These discussions have shaped the policy wording and informed the Habitat Regulations Assessment: Developer Guidance and Requirements in County Durham document.

## **Supply of Minerals**

Joint working on minerals and waste is well developed and without contention between Durham County Council and the other relevant authorities. The nature of the mineral resources that occur in the county means that there is demand for these resources to supply other areas, including Tyne and Wear in particular in respect to construction aggregates where suitable resources are less readily available, but demand is high.

Following the publication of the National Planning Policy Framework in 2012 Durham County Council together with Newcastle City Council, North Tyneside Council, Northumberland County Council, Northumberland National Park Authority, South Tyneside Council and Sunderland City Council (collectively known as the Joint LAA authorities) have jointly prepared on an annual basis the 'Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear' (Joint LAA). Along with the 'Tees Valley Joint Local Aggregate Assessment' prepared by councils in the Tees Valley, the Joint LAA is key to planning for aggregate minerals in the North East of England. The Joint LAA provides an overview of aggregate resources; consents and allocations; aggregate sales and permitted reserves; forecasts demand and assesses supply options for County Durham, Northumberland and Tyne

and Wear including land won primary aggregates; and also addresses marine dredged sand gravel, crushed rock imports and recycled and secondary aggregates. The findings of the Joint LAA have been accepted by all Joint LAA authorities. The latest Joint LAA was published in December 2018.

The Joint LAA identifies recognises that the Tyne and Wear (including Gateshead) is a major centre of demand for aggregates from County Durham and Northumberland. The Joint LAA explains that significant primary aggregate movements occur between the rural areas and the urban areas where there is higher demand. These primary aggregate movements occur across sub-regional boundaries within the Joint LAA area including from County Durham (and also Northumberland) to Tyne and Wear (which includes Gateshead). The Joint LAA recognises that this pattern of supply is expected to continue recognising the availability of resources in County Durham (and Northumberland). The Joint LAA also recognises that there could be increased pressure for the supply of resources from County Durham (and Northumberland) if extracted reserves are not replaced with new permitted reserves within Tyne and Wear (including Gateshead which contains deposits of fluvial and glacial sand and gravel and has a history of sand and gravel working).

## **Waste Management**

Within the North East of England, both Gateshead and Durham County Council have worked with Newcastle City Council, North Tyneside Council, Northumberland County Council, Northumberland National Park Authority, South Tyneside Council and Sunderland City Council to jointly prepare and a number of key waste evidence base documents including 'The Model of Waste Arisings & Waste Capacity for NE of England Waste Planning Authorities (Urban Mines Study)' (2012) and 'The Production & Disposal of Low-Level Radio-Active Waste (LLW & VLLW) in the NE of England' (2013).

The Urban Mines Study concluded that there is sufficient recycling and recovery facility capacity across the North East region in existing or emerging waste management facility proposals to manage future arisings of local authority collected waste and commercial and industrial waste streams. A 2019 update of the 2012 report confirmed that the continuing permitting of capacity for all streams across the region supports the original Urban Mines conclusion that there is sufficient regional capacity.

It was also concluded that there appears to be sufficient capacity in areas outside of the region to satisfy the requirements of the North East.

## **Wastewater Treatment**

All seven local planning authorities within the North East Region agreed to work in partnership with Northumbrian Water to manage and deliver appropriate projects which will provide additional capacity or headroom and to incorporate appropriate management policies in local plans.

## **Green Belt**

The main functions of the Green Belt in County Durham are to prevent the unrestricted sprawl of the Tyne and Wear conurbation by keeping land permanently open and to preserve the setting and character of Durham City.

In recent years Green Belt boundaries in the North East have been reviewed and reconsidered by a number of local authorities. Principally this has been in the context of providing more land for development in order to meet the growth requirements, associated with planning to meet objectively assessed need.

In discussion with adjoining authorities a standard approach to Green Belt Assessments was agreed. It was also agreed that if amendments are to be made, they do not undermine the Green Belt designations extending into adjoining authority areas.

## **Section 4**

### **Overview of Cooperation with Adjoining Local Planning Authorities**

This section of the document provides an overview of our interface with all adjoining local planning authorities and others that Durham has a meaningful relationship with (usually relating to minerals). The extent of cooperation has been proportionate to the extent of the relationship and the relevance of strategic planning matters. This section of the document seeks on a regional basis to set out:

- The mutually relevant functional and geographic relationships which influence the nature of our dialogue
- How we have continued to co-operate and maintain an open, effective dialogue throughout plan making
- The key planning issues that have been the subject of our dialogue
- How our dialogue has influenced policy making; and
- Whether there are any unresolved planning matters.

### **The Tyne & Wear Authorities**

#### **Gateshead Borough Council**

#### **Geographical and Functional Relationships**

Gateshead Council adjoins the northern boundary of County Durham adjoining the county's main towns of Chester-le-Street and Stanley then towards Consett. There are a number of key transport links connecting the two areas are the A1(M), A167, A6069 and A692 as well the East Coast mainline. As a consequence, residents of both areas cross the local authority boundary for work, education, retail and leisure. The respective council's also share the catchments of the Rivers Tyne Team and Derwent, which forms part of the boundary between the two authorities.

Both Gateshead Council and Durham County Council have sought for many years to work together to meet the long-term feedstock requirements of the Union Brickworks in Gateshead, now one of only three remaining brickworks in the North East of England, with its feedstock requirements have been met for many years by Birtley Quarry which is located in County Durham.

Sizeable volumes of waste also flow between Gateshead and County Durham and these are managed in waste management facilities within each councils' areas.

#### **How We Have Engaged With One Another**

In accordance with the Duty to Cooperate both Gateshead Council and Durham County Council have cooperated on a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a range of methods including:

- Meetings under the auspices of the NE LEP including Economic Directors, Heads of Planning and the South of Tyne Policy Officers;
- Meetings of the North East Minerals and Waste Planning Officers Group , the North East Aggregates Working Party;

- NECA Regional Transport Group and North East Joint Transport Committee;
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and Gateshead Council's 'One Core Strategy - Planning for the Future Core Strategy and Urban Core Plan' (which was adopted on 26th March 2015) and Gateshead's 'Making Spaces for Growing Places' (MSGP) Site Allocations and Development Management Policies document which was submitted to the Secretary of State for examination on the 12th April 2019.

## **Specific Planning Issues and Outcomes of Our Dialogue**

Gateshead Borough Council responded at each stage of Plan preparation. The key issues raised related to transport and its impact on transport infrastructure in Gateshead, new Green belt in North West Durham, our relationship with the River team Catchment Partnership and our approach to sand and gravel. The sections below set out the issues have all been resolved during the preparation of the through continuous dialogue.

### **Need for Green Belt Release**

**Issue:** Whether Gateshead Borough Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Gateshead on the 25th May 2018 formally requesting whether Gateshead Borough Council would be able to accommodate some of the objectively assessed housing need. Gateshead responded on the 26th June 2018 stating that 'it would be inappropriate to increase Gateshead's housing targets at this stage by accommodating some of the housing growth identified within the emerging CDP'.

### **North West Durham Green Belt**

**Issue:** Consideration of an extension of the Green Belt in County Durham to form a continuation of Tyne and Wear Green Belt.

**Outcome:** During the Issues and Options consultation Gateshead initially expressed support for the extension of the Green Belt in County Durham and suggested exceptional circumstances for this designation based on sustainable patterns of development and reducing opportunities for further commuting. The North West Durham Green belt was considered in the Green Belt Assessment which concluded that the proposed extension would not perform any additional role to the designation and would not achieve the objectives of Purpose 1 (to check the unrestricted sprawl of large built-up areas). Similarly, there was no evidence of why normal planning and development management policies would not be adequate to deliver positive, planned and aspiration growth.

At the preferred Options Gateshead responded that they now accepted Durham's decision not to pursue this and that exceptional circumstances aren't clearly demonstrable (Comment ID 1293).

## **Biodiversity**

**Issue:** Ensure a consistency of approach between the South of Tyne authorities for proposals would likely have biodiversity impacts.

**Outcome:** With regard to biodiversity, officers from the South of Tyne authorities have worked together to prepare a standard policy for use within all authorities emerging local plans. This ensures a consistency of approach across the South of Tyne for any applicants submitting planning applications which are likely to have impacts upon biodiversity.

**Working together in the future:** The two authorities will continue to work together on cross boundary biodiversity issues.

## **River Team Partnership**

**Issue:** Ensure a positive contribution towards the catchment management of the River Team.

**Outcome:** Gateshead welcomed the opportunity to work with Durham County Council as a Local Planning Authority and a Lead Local Flood Authority in making a positive contribution towards the catchment management of the River Team. Gateshead Council also welcomed Durham County Council's involvement and support in the recently formed Team Catchment Partnership. Gateshead suggested that the plan would benefit from including specific reference to the Partnership's objectives. An amendment to this effect was included in the Pre-Submission Draft.

**Working together in the future:** Durham County Council is committed to working with Gateshead Council and the Team Catchment Partnership on the catchment management of the River Team.

## **Economic Growth**

**Issue:** Working together to support economic growth across the North East LEP area

**Outcome:** Durham County Council forms part of the North East LEP area alongside Sunderland City Council, Gateshead Council, North Tyneside Council, Northumberland County Council, Newcastle City Council and South Tyneside Council. Durham County Council is represented on the LEP board, as are the other constituent local authorities, and help to feed into the priorities set out within the Strategic Economic Plan.

The LEP are instrumental in prioritising investment within the area and bidding for Government funding. The LEP have also successfully bid for a number of Enterprise Zones across the LEP Area. When preparing the Employment Land Review, a workshop was held with local stakeholders including officers from neighbouring authorities to ensure that any cross-boundary issues were addressed.

**Working together in the future:** The council will continue to work together with neighbouring authorities to support economic growth across the North East LEP area.

## **Transport**

**Issue:** Strategic Transport issues including impacts of development upon the local road network.

**Outcome:** At a regional level, the council has been involved with the North East Combined Authority Regional Transport Group who meet on a monthly basis. The Council is also represented at the North East Joint Transport Committee (NEJTC), who meets monthly to discuss transport issues that require strategic decision taking within the north east. The North East Combined Authority is accountable for the NEJTC. The committee was established on 2 November 2018 and will continue to meet going forwards. In addition, at several meetings of the South of Tyne Officers Group the impact of local plans on transport have been discussed and will continue to do so.

In response to the consultations on the County Durham Plan, Gateshead asked the council to consider cross boundary traffic flows when considering options for housing distribution, specifically highlighting that in North and North West Durham, Tyne and Wear provides a considerable draw in terms of employment, leisure and retail facilities. There were concerns how this would impact on already established areas of high congestion located near the border. As a result, the council has engaged with Gateshead Council regarding traffic flows between County Durham and Gateshead and the issue was also taken into account when identifying our preferred distribution for housing.

During the Pre-Submission Draft consultation Gateshead welcomed recent discussions with neighbouring local authorities regarding cross-boundary transport issues and were keen to continue cross-boundary discussions which will help all local authorities understand transport implications of new and proposed developments (Comment ID 2219).

**Working together in the future:** The council will continue to work closely with Gateshead Council on cross boundary transport matters through the NECA Regional Transport Group and the NEJTC including the transport implications of new development.

## **Waste**

**Issue:** Management of waste streams across the sub-region.

**Outcome:** Given the sizeable waste flows between Gateshead and County Durham and their management in waste management facilities within each councils' areas co-operation on the management of waste is important.

The findings of the joint report 'The Model of Waste Arisings & Waste Capacity for NE of England Waste Planning Authorities' (July 2012) in relation to anaerobic

arisings and capacity refers to a surplus in anaerobic digestion capacity within both the County and the wider region and a deficit in Gateshead. Notwithstanding this both councils recognise that there is capacity in the region and the destination of arisings is a commercial decision and therefore this does not pose an unresolved strategic issue for the respective plans to address.

**Working together in the future:** Both councils are committed to continuing to work collaboratively to monitor the extent of waste arisings and waste capacity.

## **Minerals**

**Issue:** Ensuring an adequate and steady supply of minerals to meet local and wider needs.

**Outcome:** The eight Mineral Planning Authorities in County Durham, Northumberland and Tyne and Wear (Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, Northumberland National Park Authority, South Tyneside Council and Sunderland City Council) work collaboratively on aggregate minerals planning matters and work jointly to prepare an annual Local Aggregates Assessment. All of the aforementioned authorities also actively participate in the North East Aggregates Working Party alongside the five Tees Valley authorities and representatives of the industry. The Working Party publishes an Annual Aggregates Monitoring Report.

Through the different rounds of consultation Gateshead expressed support for Durham County Council's approach to minerals and waste and in particular to longer term working of sand and gravel in County Durham and committed to working collaboratively with Durham County Council as part of a regional approach to these issues. Gateshead Council also supports the approach to clay provision in respect of the Union Brickworks (located in Birtley, Gateshead) and will continue to work positively with County Durham in addressing the longer-term needs of the Union Brickworks (located in Gateshead).

**Working together in the future:** The council will continue to work with the other North East authorities, including through the North East Aggregates Working Party, on minerals planning matters including the longer-term needs of the Union Brickworks.

## **Sunderland City Council**

### **Geographical and functional relationships**

Sunderland City Council adjoins the northern eastern boundary of County Durham adjoining the county's main towns of Seaham and Chester-le-Street. There are a number of key transport links connecting the two areas including the A19, A690 and A183 as well the Durham Coast railway. As a consequence, residents of both areas cross the local authority boundary for work, education, retail and leisure. The respective council's also share the North Sea coast, which is a designated Heritage Coast and include a number of habitats of European Protected species. The Tyne and Wear Green Belt covers much of the open land between the settlements of

Sunderland and those of the adjoining area of County Durham. Sunderland also adjoins Lambton Park which is a recently started development of executive housing and employment uses.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Sunderland City Council and Durham County Council have cooperated on a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a range of methods including:

- Meetings under the auspices of the NE LEP including Economic Directors, Heads of Planning and the South of Tyne Policy Officers;
- Durham and Sunderland Working group Meetings;
- Meetings of the North East Minerals and Waste Planning Officers Group, the North East Aggregates Working Party;
- N2K Working Group and Heritage Coast Partnership;
- IAMP Working Group; and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and Sunderland Council's 'Core (which was submitted to the Secretary of State for examination in December 2018).

### **Specific planning issues and outcomes of our dialogue**

#### **Need for Green Belt Release**

**Issue:** Whether Sunderland City Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Sunderland on the 25th May 2018 formally requesting whether Sunderland City Council would be able to accommodate some of the objectively assessed housing need. Sunderland responded on the 29<sup>th</sup> May 2018 stating that as they had also identified a need to review its own Green Belt to meet its housing needs and therefore they would not be a position to accommodate further growth from Durham.

#### **Green Belt Approach/Methodology**

**Issue:** The approach used in Sunderland's Green Belt Assessment

**Outcome:** In a duty to cooperate meeting between the two authorities in 2016, queries were raised relating to the Durham's Green Belt Assessment methodology, to ensure that the approach was consistent with Sunderland's approach. Further investigation took place, and a follow-up meeting in 2017 confirmed that the approach being undertaken by Durham raised no further concern with Sunderland City Council. This agreement was confirmed in Sunderland's response to the Pre-Submission Draft consultation (Comment ID 83, 84).

**Working together in the future:** The two authorities will continue to liaise regarding Green Belt approaches and on any issues that impact on the neighbour authorities.

## **Impact of Employment Land at Lambton Estate**

**Issue:** The potential impact of the type of employment uses approved at Lambton Estate.

**Outcome:** During the Pre-Submission Draft consultation, Sunderland raised concern regarding the potential impact of the employment uses identified in the supporting text of Policy 2 (Employment Land) as permitted at Lambton Estate compared to those approved in the planning application and that the site area is incorrect (comment ID 79). The difference on site areas is a comparison of gross and net site areas and will be corrected by a minor modification.

**Working together in the future:** The two authorities will continue to liaise regarding Green Belt approaches and on any issues that impact on the neighbour authorities.

## **Heritage Coast:**

**Issue:** To ensure that the approach to the Heritage Coast is consistent with that of Sunderland City Council.

**Outcome:** During the consultation on Sunderland's Core Strategy. Durham County Council stated that Sunderland's Core Strategy would benefit from a policy specifically on the Heritage Coast, to ensure that there were no direct or indirect unacceptable adverse impacts upon the Heritage Coast in Durham. Durham County Council's response to the Publication Draft consultation acknowledged that the updated Core Strategy now includes such a policy. This alignment of approaches is acknowledged in Sunderland's response to the Pre-Submission Draft consultation (Comment ID 87) In addition, both councils are active members of the Heritage Coast Partnership.

**Working together in the future:** The two authorities will continue to liaise on Heritage Coast matters as part of the Heritage Coast Partnership and work towards the delivery of the Heritage Coast Management Plan.

## **Biodiversity**

**Issue:** Ensure a consistency of approach between the South of Tyne authorities for proposals would likely have biodiversity impacts.

**Outcome:** With regard to biodiversity, officers from the South of Tyne authorities have worked together to prepare a standard policy for use within all authorities emerging local plans. This ensures a consistency of approach across the South of Tyne for any applicants submitting planning applications which are likely to have impacts upon biodiversity.

**Working together in the future:** The two authorities will continue to work together on cross boundary biodiversity issues.

## **Housing Need**

**Issue:** Approach and methodologies used to calculate the housing requirement within local plans.

**Outcome:** Following the Issues Options consultation on the County Durham Plan and Sunderland's consultation on the Core Strategy in 2017 Durham County Council highlighted that Sunderland's moderate growth scenario was based on a change to commuting rates and were concerned that this would not be consistent with our approach and that of other neighbouring authorities who had all assumed fixed commuting rates as part of their modelling. In response Sunderland have progressed a scenario which is based on fixed commuting rates.

Durham County Council acknowledge that Sunderland have applied an uplift to its housing need to support economic growth including an element from IAMP, which allocates 150 hectares of land for automotive and advanced manufacturing uses. As Durham County Council has used the Government's standard methodology for calculating housing need we do not have specific observations regarding this and it will not have any impact upon the levels of housing growth being planned for in Durham. Durham's use of the standard methodology was supported by Sunderland through the Preferred Options consultation (Comment ID 3031).

**Working together in the future:** The councils will continue to work constructively with each other with regard to housing need, including further impact assessment work for the IAMP as it progresses.

### **Gypsies and Travellers**

**Issue:** Approach to accommodating the settled Gypsy and Traveller community and arrangements in respect of temporary stop-over sites.

**Outcome:** Durham County Council and Sunderland City Council have discussed needs and site provision for Gypsies and Travellers and the arrangements made for temporary stop-over sites to service demand, particularly during events such as the annual Appleby Fair.

Durham County Council have addressed their own needs through the preparation of the 'Travellers Needs Assessment' (2019) which has found no requirement to allocate any pitches. There are therefore no cross-boundary issues.

**Working together in the future:** The authorities will continue to work together to monitor local needs and will continue joint working where appropriate.

### **IAMP**

**Issue:** To take into consideration the impacts of the International Advanced Manufacturing Park (IAMP).

**Outcome:** Sunderland City Council and South Tyneside Council worked together on the preparation of the IAMP Area Action Plan (AAP). The AAP was adopted by both

authorities in November 2017 and now forms part of the adopted development plan for both areas.

In order to understand the potential impacts of the IAMP, several impact papers were prepared which were submitted as part of the evidence base for the IAMP AAP. As a result, Sunderland City Council have included an uplift to the demographic baseline within its housing requirement to support economic growth, including the IAMP.

Due to the regional significance of the IAMP, Sunderland City Council have committed to undertaking further impact work, as the development progresses, and more evidence is available regarding the potential impacts. The council have stated that it will also involve other authorities in the preparation of the updated impact papers, including Durham County Council.

During the Pre-Submission Draft consultation Sunderland did identify a minor typographical error in relation to the supporting text relating to IAMP (Comment ID 80), which will be addressed by a minor modification.

**Working together in the future:** Sunderland City Council will undertake further impact assessment work, with input from Durham County Council as IAMP is developed out and further evidence becomes available.

## **Economic Growth**

**Issue:** Working together to support economic growth across the North East LEP area

**Outcome:** Durham County Council forms part of the North East LEP area alongside Sunderland City Council, Gateshead Council, North Tyneside Council, Northumberland County Council, Newcastle City Council and South Tyneside Council. Durham County Council is represented on the LEP board, as are the other constituent local authorities, and help to feed into the priorities set out within the Strategic Economic Plan.

The LEP are instrumental in prioritising investment within the area and bidding for Government funding. The LEP have also successfully bid for a number of Enterprise Zones across the LEP Area. When preparing the Employment Land Review, a workshop was held with local stakeholders including officers from neighbouring authorities to ensure that any cross-boundary issues were addressed.

**Working together in the future:** The council will continue to work together with neighbouring authorities to support economic growth across the North East LEP area.

## **Waste**

**Issue:** Management of waste streams across the sub-region.

**Outcome:** The council hold regular meetings with Sunderland City Council to discuss cross boundary planning matters, including waste.

During their representations to the Sunderland's Draft Core Strategy and Development Plan, Durham County Council suggested that the plan should seek to safeguard all strategic waste sites, not just those that were connected with Local Authority Collected Waste. In response to this the plan was amended to safeguard all waste sites. Durham County Council welcomed this amendment.

Durham County Council have advised Sunderland that there needs to be discussions regarding the future management of inert waste, as the majority of existing capacity is within Durham and some of these sites require restoration before the end of the plan period. Sunderland City Council have agreed to have ongoing discussions with Durham County Council on this matter. These discussions will inform the future Minerals and Waste Policies and Allocations document.

**Working together in the future:** Continue to have ongoing discussions regarding waste management issues.

## **Minerals**

**Issue:** Ensuring an adequate and steady supply of minerals to meet local and wider needs.

**Outcome:** The eight Mineral Planning Authorities in County Durham, Northumberland and Tyne and Wear (Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, Northumberland National Park Authority, South Tyneside Council and Sunderland City Council) work collaboratively on aggregate minerals planning matters and work jointly to prepare an annual Local Aggregates Assessment. All of the aforementioned authorities also actively participate in the North East Aggregates Working Party alongside the five Tees Valley authorities and representatives of the industry. The Working Party publishes an Annual Aggregates Monitoring Report.

The Aggregates Working Party meet regularly (at least on an annual basis) to discuss strategic issues relating to aggregates. The North East authorities also participate in North East Minerals and Waste Planning Policy Officers Group meetings to discuss a range of strategic, cross boundary issues relating to minerals and the management of waste.

**Working together in the future:** The council will continue to work with the other North East authorities on minerals planning matters and participate in the operation of the North East Aggregates Working Party and participate in meetings of the North East Minerals and Waste Planning Policy Officers Group.

## **Wind Turbines**

**Issue:** Impact of wind turbines on neighbouring authorities.

**Outcome:** In the consultation on the Pre-Submission Draft, Sunderland City Council have supported the County Durham Plan's approach in Policy 35 (Wind Turbine Development). However, as the policies map shows that some areas adjoining

Sunderland's boundary may be suitable for large scale wind turbine development, Sunderland have requested that the supporting text of the policy acknowledge that the impacts of wind energy development can be felt on neighbouring local authority areas and that the criteria of policy 35 will apply equally to neighbouring authorities where applicable (comment ID 90). Durham County Council recognise that wind turbine development adjoining a neighbouring authority may have an impact and will ensure that they are consulted and comments received taken into account however a change to the supporting text is not required.

**Working together in the future:** The council will ensure that Sunderland City Council is consulted on any wind turbine proposals in proximity to the administrative boundary.

## **Transport**

**Issue:** Strategic Transport issues including impacts of development upon the local road network.

**Outcome:** At a regional level, the council has been involved with the North East Combined Authority Regional Transport Group who meet on a monthly basis. The Council is also represented at the North East Joint Transport Committee (NEJTC), who meets monthly to discuss transport issues that require strategic decision taking within the north east. The North East Combined Authority is accountable for the NEJTC. The committee was established on 2 November 2018 and will continue to meet going forwards. In addition, at several meetings of the South of Tyne Officers Group the impact of local plans on transport have been discussed and will continue to do so.

**Working together in the future:** The council will continue to work closely with neighbouring authorities on cross boundary transport matters through the NECA Regional Transport Group and the NEJTC.

## **Transport – South Sunderland Growth Area (SSGA)**

**Issue:** The impact of South Sunderland Growth Area on local road network.

**Outcome:** During consultation on Sunderland's Draft Core Strategy, Durham County Council indicated that further information was required regarding the potential impact of the SSGA allocation upon the local road network in County Durham.

In response to this, meetings were held between council officers which discussed the potential issues. During these discussions, it was highlighted that 3 of the 4 SSGA sites now had the benefit of planning permission and that Durham County Council had been formally consulted on these applications. It is also noted that during the planning application process for these 3 sites, discussions were held with DCC Officers to agree the highways mitigation works required, including those in County Durham. Contributions towards the delivery of the necessary mitigation have been agreed with the developer through a S106 legal agreement.

Durham County Council's representations to the Publication Draft of Sunderland's Core Strategy made clear that that this issue has been satisfactorily resolved.

**Working together in the future:** Sunderland City Council have committed to continuing to liaise with Durham County Council as proposals for the SSGA come forward. The councils will also work together to bid for funding to secure improvements to the highway network within this area.

### **Transport – Leamside Line**

**Issue:** Safeguarding the Leamside Line.

**Outcome:** Durham County Council have expressed support at the inclusion of the Leamside Line within Sunderland's Core Strategy. Similarly, Sunderland City Council have expressed support for it being safeguarded in the County Durham Plan including in response to the Pre-Submission consultation (Comment ID 85).

**Working together in the future:** The councils will work together with other North East councils to bid for funding to secure the reinstatement of the Leamside Line.

### **Transport – East Durham Link Road**

**Issue:** Proposed East Durham Link Road.

**Outcome:** In considering new transport infrastructure a previous proposal for an East Durham Link Road was re-considered. As part of the route is located within Sunderland City Council's area it would have to be included in both plans to be deliverable. However, the part of the route in Sunderland was not identified in Sunderland's Core Strategy. There would therefore be no purpose to include the remainder in the County Durham Plan.

**Working together in the future:** The councils will continue discussions on the future merits of an East Durham Link Road.

### **HRA**

**Issue:** The Durham Coast Special Area of Conservation (SAC) extends into parts of Sunderland.

**Outcome:** Durham County Council are a part of an N2K Liaison Group, which includes all of the local authorities which contain part of the Northumbria Coast SPA/Ramsar site and the Durham Coast SAC (Sunderland City Council, North Tyneside Council, Northumberland County Council, South Tyneside Council and Sunderland City Council).

The Liaison Group meets on a regular basis (at least twice a year) to discuss their approach to Habitats Regulations Assessments, including necessary mitigation and survey work. The group also update other members of the group on Local Plan progress and discuss policies within emerging plans which relate to N2K sites.

The council have liaised continuously with the group to update them on progress with the plan, the Habitats Regulation Assessment being undertaken as part of the plan and the methodology used for this. Discussion from these meetings has been used to inform the wording of the policies within the Plan.

The council have also undertaken visitor and birds survey work jointly with Sunderland Council which has been used to inform the HRA.

**Working together in the future:** The council will continue to work closely with other authorities on HRA matters through the N2K Liaison Group.

## **Northumberland County Council**

### **Geographical and functional relationships**

Northumberland County Council's adjoins the northern boundary of County Durham from an area to the north of Killhope Moor in Weardale to where County Durham adjoins Gateshead Borough, to the north of Hamsterley in the former Derwentside part of County Durham and west of Blackhall Mill in Gateshead Borough. The key transport link between both counties is the A68. In addition, a number of minor B-Roads also link the two areas including the B6306, B6278 and B6309.

A large proportion of the shared cross-boundary areas, to the west of the A68, is designated as part of the North Pennines Area of outstanding Natural Beauty (AONB). The County Durham settlements of Consett, Ebchester and Hamsterley all lie to the south of the share boundary with Northumberland. As a consequence, these settlements all also serve the predominantly rural areas of Northumberland to the north. The respective council's also share the catchment of the River Derwent, with the boundary between County Durham and Northumberland also running through Derwent Reservoir which is important for water supply.

Northumberland like County Durham is a regionally important source of minerals particularly crushed rock aggregate and sand gravel. Evidence as set out in the Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear (December 2018) show the importance of Northumberland to the supply of aggregates in the North East. Quarries in both Northumberland and County Durham have traditionally been the major source of supply for the Tyne and Wear conurbation, which is a major centre of demand but where mineral resources and production has been more limited.

The principal issues of strategic relevance to the duty to cooperate are the approach to shared environmental assets and in relation to minerals, ensuring the steady and adequate supply of aggregates, both crushed rock aggregate and sand and gravel aggregate.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Northumberland County Council and Durham County Council have cooperated upon a range of key strategic and other

cross boundary issues over many years. This cooperation has occurred through a combination of methods:

- Meetings under the auspices of the NE LEP including Economic Directors, Heads of Planning and joint meetings of the South of Tyne and North of Tyne Policy Officers;
- Durham and Northumberland Working group Meetings;
- Meetings of the North East Minerals and Waste Planning Officers Group, the North East Aggregates Working Party;
- North Pennines AONB Partnership; and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the Northumberland Local Plan which reached its Publication Draft stage in January 2019 and which is intended to be Submitted to the Secretary of State for examination in May 2019.

### **Specific planning issues and outcomes of our dialogue**

At the Pre-Submission draft County Durham Plan stage, Northumberland County Council advised that they "have no comments to make as the council have engaged with Durham County Council on an ongoing basis on the preparation of the Plan. Northumberland County Council looks forward to continuing to work with Durham County Council on planning matters of joint interest under the Duty to Cooperate including the preparation of a Statement of Common Ground'. The main issues that have been discussed as the Plan has progressed are set out below.

#### **Need for Green Belt Release**

**Issue:** Whether Northumberland County Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Northumberland on the 25th May 2018 formally requesting whether Northumberland County Council would be able to accommodate some of the objectively assessed housing need. Northumberland responded on the 1<sup>st</sup> June 2018 stating that they 'would not be in a position to accommodate any of your objectively assessed housing need.

#### **North West Durham Green Belt**

**Issue:** Consideration of an extension of the Green Belt in County Durham to form a continuation of the Tyne and Wear Green Belt.

**Outcome:** During the Issues and Options consultation Northumberland initially expressed support for the extension of the Green Belt in County Durham as a means of reducing commuting development pressure. The North West Durham Green Belt was considered in the Green Belt Assessment which concluded that the proposed extension would not perform any additional role to the designation and would not achieve the objectives of Purpose 1 (to check the unrestricted sprawl of large built-up areas). Similarly, there was no evidence of why normal planning and development management policies would not be adequate to deliver positive, planned and aspiration growth.

At the Preferred Options Northumberland responded that they now accepted Durham's decision not to pursue this and that it would be difficult to justify exceptional circumstances (Comment ID 2490).

## **Conserving and Enhancing the Natural Environment**

**Issue:** Approach to the North Pennines AONB.

**Outcome:** The revocation of the North East Regional Spatial Strategy meant that there has been a strategic policy void in relation to the AONB in local plans. We have worked with Northumberland County Council and with the wider North Pennines AONB partnership in this regard to develop an approach to providing a policy context for the AONB. Furthermore, consultation on the review of the North Pennines AONB Management Plan 2019-24 has just been undertaken and as part of this wider joint working comments were fed into the consultation.

Given the predominantly rural nature of much of Northumberland and County Durham we have sought to ensure that the approach of the emerging local plans is consistent and that specific development proposals do not adversely affect the environment or amenity of local communities.

**Working together in the future:** Durham County Council is committed to future working with Northumberland County Council and the North Pennines AONB Partnership.

## **Minerals**

**Issue:** Ensuring an adequate and steady supply of minerals to meet local and wider needs.

**Outcome:** The eight Mineral Planning Authorities in County Durham, Northumberland and Tyne and Wear (Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, Northumberland National Park Authority, South Tyneside Council and Sunderland City Council) work collaboratively on aggregate minerals planning matters and work jointly to prepare an annual the 'Local Aggregates Assessment'. All of the aforementioned authorities also actively participate in the North East Aggregates Working Party alongside the five Tees Valley authorities and representatives of the industry. The Working Party publishes an Annual Aggregates Monitoring Report.

The principal minerals of strategic relevance to duty to cooperate are aggregate, both crushed rock and sand and gravel. Additionally, both authority areas are underlain by surface coal, however, surface coal extraction issues have been addressed by both authorities through the preparation of respective policies in each other's development plan and through the determination of planning applications.

The most significant flows within the Joint LAA area are from Northumberland and County Durham to Tyne and Wear. The Joint LAA recognises that this pattern of supply is expected to continue recognising the availability of resources in

Northumberland (and County Durham). The Joint LAA also recognises that there could be increased pressure for the supply of resources from Northumberland (and County Durham) if extracted reserves are not replaced with new permitted reserves within Tyne and Wear.

Taking into consideration the extent of existing permitted reserves of crushed rock aggregate and sand and gravel and proposals for new working set out in the emerging County Durham Plan and emerging Northumberland Local Plan it is considered that there will be no unmet demand over the life of both plans.

In February 2018 the county council undertook targeted consultation on its emerging approach to mineral safeguarding and safeguarding mineral handling, processing and transportation Infrastructure. Northumberland County Council generally agreed and provided support for the approach adopted. The key changes which were made in response to comments received from Northumberland County Council are:

- Safeguarding of the Port of Seaham for mineral transshipment,
- Safeguarding of areas of blown sand and raised beach deposits; and
- Reconsideration of which relic natural building and roofing stone sites should be safeguarded.

**Working together in the future:** The council will continue to work with the other North East authorities on minerals planning matters and participate in the operation of the North East Aggregates Working Party and participate in meetings of the North East Minerals and Waste Planning Policy Officers Group. Further joint working with Northumberland County Council on a revised Joint Local Aggregate Assessment incorporating sales and permitted reserves information for 2018 will occur during the second half of 2019.

## **Waste**

**Issue:** Management of waste streams across the sub-region.

**Outcome:** The 'Addendum to 2012 Study Waste Arisings & Waste Management Capacity Model' (2016) shows there are insignificant flows of waste flow between Northumberland and County Durham. This published joint evidence base also confirmed that there is sufficient recycling and recovery facility capacity across the North East region in existing or emerging waste management facility proposals to manage future arisings.

Following the production of the study, we carried out a consultation exercise as part of the Duty to Co-operate on Low Level Radioactive Waste capacity with Local Authorities identified in the study. This concluded that there appears to be sufficient capacity in other areas to satisfy requirements in the North East. Further capacity has also been permitted since the briefing note was finalised.

**Working together in the future:** Both county councils are committed to continuing to work collaboratively to monitor the extent of waste arisings and waste capacity in terms of sites coming on and going off stream and their respective actual through puts

## **Cumbrian Region**

Cumbria County Council and Eden District Council have been consulted at key stages of the plan making process since the creation of the unitary Durham County Council in April 2009.

### **Cumbria County Council**

#### **Geographical and functional relationships**

Cumbria County Council adjoins the eastern boundary of County Durham. The shared border area covering the two authorities comprises land designated as part of the North Pennines Area of Outstanding Natural Beauty (AONB). There are also large designations such as a Special Area of Conservation (SAC) and Special Protection Area (SPA) under the European Habitats and Wild Bird's Directives and as Sites of Special Scientific Interest (SSSI). The area is very rural moorland and is sparsely populated with a limited number of settlements. The strategically important A66 runs west to east through the southern part of the shared border area and other links include the B6276 and B6277.

Due to the nature of the shared border areas between Cumbria and County Durham there are relatively few significant cross-boundary issues although Cumbria, like County Durham, is a regionally important supplier and source of minerals.

#### **How we have engaged with one another**

Since 2009 we have met on at least an annual basis with neighbouring councils through a group called the Northern Counties. This group was established to provide a forum which would allow discussion on matters of mutual concern relating to minerals and waste. Its membership includes Cumbria County Council. Prior to 2016 we engaged with Cumbria County Council and Eden District Council on specific issues on an ad hoc basis including in relation to zinc mining and gypsies and travellers. This cooperation has occurred through a combination of methods:

- Meetings including those of the North East Minerals and Waste Planning Officers Group which seeks to meet twice a year (formerly known as the Northern Counties);
- Cumbria Policy Officers Meetings;
- North Pennines AONB Partnership; and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the Northumberland Local Plan which reached its Publication Draft stage in January 2019 and which is intended to be Submitted to the Secretary of State for examination in May 2019.
- Responses submitted to each council's respective planning documents, including successive stages of the County Durham Plan and Cumbria's Minerals and Waste Local Plan (2015-2030) (MWLP), adopted in September 2017.

#### **Specific planning issues and outcomes of our dialogue**

## **Conserving and Enhancing the Natural Environment**

**Issue:** Approach to the North Pennines AONB.

**Outcome:** The revocation of regional spatial strategies meant that there has been a strategic policy void in relation to the AONB in local plans. We have worked with Cumbria County Council and with the wider North Pennines AONB partnership to develop an approach to providing a policy context for the AONB. Furthermore, consultation on the review of the North Pennines AONB Management Plan 2019-24 has just been undertaken and as part of this wider joint working comments were fed into the consultation.

Given the predominantly rural nature of much of Cumbria and County Durham we have sought to ensure that the approach of the emerging local plans is consistent and that specific development proposals do not adversely affect the environment or amenity of local communities.

**Working together in the future:** Durham County Council is committed to future working with Cumbria County Council and the North Pennines AONB Partnership.

## **Gypsies and Travellers**

**Issue:** Approach to accommodating the settled Gypsy and Traveller community and arrangements in respect of temporary stop-over sites.

**Outcome:** Durham County Council and Cumbria County Council have discussed needs and site provision for Gypsies and Travellers and the arrangements made for temporary stop-over sites to service demand, particularly during events such as the annual Appleby Fair.

Durham County Council have addressed their own needs through the preparation of the 'Travellers Needs Assessment' (2019) which has found no requirement to allocate any pitches. There are therefore no cross-boundary issues.

**Working together in the future:** The authorities will continue to work together to monitor local needs and will continue joint working where appropriate.

## **Minerals**

**Issue:** Ensuring an adequate and steady supply of minerals to meet local and wider needs.

**Outcome:** Cumbria, like County Durham, is a geologically complex, mineral rich county containing a wide variety of mineral resources. Both councils have provided support for each other's emerging plans.

Cumbria County Council provided specific comments on the County Durham Plan at the Issues and Options stage. Their response highlighted that the key duty to co-operate issues from their perspective were planning for aggregates, unconventional

hydrocarbons and zinc mining, but advised that they saw no particular issues at that time (Comment ID 1924).

Subsequently in an email dated 4<sup>th</sup> April 2019 Cumbria County Council confirmed that 'having viewed the Pre-Submission Version of the County Durham Plan I can confirm agreement with the policy approach taken and that there are no cross-boundary issues of significance that would undermine the effectiveness of these policies at this time'.

**Working together in the future:** The council will continue to work with Cumbria County Council on minerals planning matters.

### **Minerals: Mineral Safeguarding Areas and Allocations**

**Issue:** Ensuring an adequate and steady supply of minerals through further site allocations and the identification of Mineral Safeguarding Areas.

**Outcome:** Durham County Council have previously commented on the scope of Cumbria's proposed mineral safeguarding areas, which were at one point shown as extending into County Durham. These comments resulted in the Cumbria MWLP being amended. In 2018 Cumbria confirmed that they had no specific comments to make upon DCC's Technical Consultation, 'Identifying Mineral Safeguarding Areas & Safeguarding Mineral handling, Processing and Transportation Infrastructure in County Durham'.

Durham County Council has also considered the potential impact of site allocations for aggregate working in Cumbria on County Durham's environment and the amenity of its local communities but raised no objection to any of the proposed sites.

**Working together in the future:** The council will continue to work with Cumbria County Council on minerals planning matters.

### **Waste**

**Issue:** Management of waste streams across local authority boundaries.

**Outcome:** There is limited interplay and flows of non-hazardous and hazardous waste between Cumbria and County Durham. The 'Production and Disposal of Low-Level Radioactive Waste (LLW and VLLW) in the North East of England' (2013) study notes that LLRW from the North East has been disposed or stored at the national repository near Drigg in Cumbria, however reliance upon this scarce resource needed to be reduced. The Cumbria MWLP also noted that there should not be reliance upon this strategic resource and other treatment and disposal routes should be developed.

Regarding County Durham's future need for LLRW disposal, an update report produced by the county in 2016 concluded that existing capacity outside the North East together with applications granted in 2015 will ensure that there continues to be adequate capacity elsewhere to deal with arisings of LLRW from the North East region. In response to consultation at the issues and options stage Cumbria advised

that they agreed that that there is no need to identify any allocations for hazardous or low-level radioactive waste capacity because of the small arisings and that it would not be economically viable (Comment ID 1920). Cumbria also advised that they a policy in the forthcoming Minerals and Waste Policies and Allocations document that would help determine proposals associated with NORM<sup>3</sup> arisings from fracking activities.

**Working together in the future:** The council will continue to work with Cumbria County Council on waste matters.

## **Eden District Council**

### **Geographical and functional relationships**

Eden District Council shares a common boundary on the western edge of County Durham. However, this relates to the remoter parts of County Durham dominated by the North Pennines AONB. Furthermore, Eden is a district council in two-tier county/district structure. Therefore, discussions on the key cross-boundary issues of minerals and waste take place with Cumbria County Council.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Eden District Council and Durham County Council have cooperated upon a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a combination of methods:

- Cumbria Policy Officers Meetings;
- North Pennines AONB Partnership; and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and Eden's Local Plan which was adopted on 11<sup>th</sup> October 2018.

### **Specific planning issues and outcomes of our dialogue**

#### **Need for Green Belt Release**

**Issue:** Whether Eden District Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Eden on the 25th May 2018 formally requesting whether Eden District Council would be able to accommodate some of the objectively assessed housing need. Eden responded on the 5<sup>th</sup> June 2018 stating 'that with the low targets within our own OAN, it is difficult to see how we could accommodate any additional OAN from an adjoining authority'.

#### **Conserving and Enhancing the Natural Environment**

**Issue:** Approach to the North Pennines AONB.

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<sup>3</sup> Naturally Occurring Radioactive Materials.

**Outcome:** The revocation of regional spatial strategies meant that there has been a strategic policy void in relation to the AONB in local plans. We have worked with Eden District Council and with the wider North Pennines AONB partnership to develop an approach to providing a policy context for the AONB. Furthermore, consultation on the review of the North Pennines AONB Management Plan 2019-24 has just been undertaken and as part of this wider joint working comments were fed into the consultation.

**Working together in the future:** Durham County Council is committed to future working with Eden District Council and the North Pennines AONB Partnership.

## **North Yorkshire Region**

### **North Yorkshire County Council**

#### **Geographical and functional relationships**

North Yorkshire County Council adjoins the south west border of County Durham, between the boundary with Darlington Borough Council west to the border with Cumbria. The border area between the authorities is sparsely populated and can be characterised as either very rural moorland or rural areas of open countryside within which a scattered settlement pattern of rural villages. The strategically important A66 runs between the authorities from north west to south east. The River Tees forms part of the shared boundary west of Piercebridge.

North Yorkshire (including the Yorkshire Dales National Park) like County Durham is a regionally important supplier and source of minerals particularly crushed rock aggregate and sand gravel.

#### **How we have engaged with one another**

In accordance with the requirements of the Duty to Cooperate both Durham County Council and North Yorkshire County Council have cooperated on minerals and waste matters over many years. This cooperation has occurred through a combination of methods including:

- Meetings including those of the North East Minerals and Waste Planning Officers Group which seeks to meet twice a year (formerly known as the Northern Counties), the Yorkshire and Humber Waste Technical Advisory Body (WTAB), upon emerging plan contents and matters such as aggregate forecasting and aggregates provision; and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the North Yorkshire Minerals and Waste Joint Plan which was adopted in March 2018 and the Local Aggregate Assessment for the North Yorkshire Sub-Region.

#### **Specific planning issues and outcomes of our dialogue**

##### **Minerals**

**Issue:** Ensuring an adequate and steady supply of minerals to meet local and wider needs.

**Outcome:** Both Durham County Council and North Yorkshire County Council have provided support for each other's emerging plans. In particular, North Yorkshire supported every individual minerals and waste policy in the Pre-Submission Draft (Comment IDs 1841, 1845, 1849-1852, 1854-1861).

The 'Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear' (2018) and the Local Aggregate Assessment for the North Yorkshire Sub-region (2017) show significant complex cross boundary flows of aggregates between both North Yorkshire and County Durham. Therefore, the key issue for both plans relate to the safeguarding of aggregates and the continued steady and adequate supply of aggregates given the significant recorded movement of aggregates between North Yorkshire and County Durham.

In relation to the safeguarding of aggregate resources we continue to be satisfied that the approach of the North Yorkshire Minerals and Waste Joint Plan safeguards all minerals of economic importance.

Through previous consultation documents and officer discussions we have continued to convey our view that North Yorkshire should seek to make some provision for the continued export of aggregates into the Tees Valley through a northward facing sand and gravel landbank. This would be a continuation of the approach of the existing North Yorkshire Minerals Local Plan as well as being an approach that would reduce pressure upon quarries in County Durham. This approach was agreed, and appropriate allocations were included in the North Yorkshire Minerals and Waste Joint Plan.

In terms of crushed rock Durham County Council support the approach of the North Yorkshire Minerals and Waste Joint Plan as it will ensure the steady and adequate supply of crushed rock aggregate.

In February 2018 the county council undertook targeted consultation on its emerging approach to mineral safeguarding and safeguarding mineral handling, processing and transportation Infrastructure. North Yorkshire County Council agreed with the approach proposed.

**Working together in the future:** The council will continue to work with Cumbria County Council on minerals planning matters.

## **Waste**

**Issue:** Management of waste streams across local authority boundaries.

**Outcome:** In terms of waste, other than for specialist waste types such as hazardous waste or low-level radioactive waste, which are managed by specialist facilities elsewhere, there is limited interplay between North Yorkshire County Council and Durham County Council.

Over the Plan period, the proposed approach of the North Yorkshire Minerals and Waste Joint Plan is to support proposals for new waste management facilities which will help achieve an increase in net self-sufficiency in the management of waste to a level equivalent to expected arisings by the end of the Plan period.

**Working together in the future:** The council will continue to work with Cumbria County Council on waste matters.

## **Richmondshire District Council**

### **Geographical and functional relationships**

Richmondshire District Council shares a common boundary on the southern edge of County Durham. This relates to the remoter parts of County Durham comprising part of the North Pennines AONB and away from the main centres of population and development pressures. Furthermore, Richmondshire is a district council in a two-tier county/district structure. Therefore, discussions on the key cross-boundary issues of minerals and waste take place with North Yorkshire County Council.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Richmondshire District Council and Durham County Council have cooperated upon a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a combination of methods:

- Tees Valley Development Plans Officers Meetings;
- North Pennines AONB Partnership; and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and Richmondshire's Local Plan which was at Issues and Options stage in October 2018.

### **Specific planning issues and outcomes of our dialogue**

#### **Need for Green Belt Release**

**Issue:** Whether Richmondshire District Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Richmondshire on the 25th May 2018 formally requesting whether Richmondshire District Council would be able to accommodate some of the objectively assessed housing need. Richmondshire responded on the 5<sup>th</sup> November 2018 stating 'the Council will not be requesting County Durham to meet any of its housing need, and will not be planning to meet any of the housing need of County Durham'.

#### **Conserving and Enhancing the Natural Environment**

**Issue:** Approach to the North Pennines AONB.

**Outcome:** The revocation of regional spatial strategies meant that there has been a strategic policy void in relation to the AONB in local plans. We have worked with Richmondshire District Council and with the wider North Pennines AONB partnership to develop an approach to providing a policy context for the AONB. Furthermore, consultation on the review of the North Pennines AONB Management Plan 2019-24 has just been undertaken and as part of this wider joint working comments were fed into the consultation.

**Working together in the future:** Durham County Council is committed to future working with Richmondshire District Council and the North Pennines AONB Partnership.

## **North Yorkshire Dales National Park Authority**

### **Geographical and functional relationships**

The Yorkshire Dales National Park Authority adjoins the south-west border of County Durham, south of the A66. The majority of the border area is designated as part of the North Pennines AONB, with large areas also being designated as Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Sites of Special Scientific Interest (SSSI). As a consequence, the adjoining areas of each authority are very rural and sparsely populated and there is a very limited functional relationship between County Durham and the Yorkshire Dales.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both the Yorkshire Dales National Park Authority and Durham County Council have cooperated upon a relevant strategic and other cross boundary issues over many years. This cooperation has occurred through a combination of methods:

- Tees Valley Development Plans Officers Meetings;
  - North Pennines AONB Partnership; and
  - Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the Yorkshire Dales' Local Plan which was adopted in December 2016.
- Following extension of the national Park's boundaries in 2016 work has just started a new plan for the wider area.

## **Yorkshire Dales National Park Local Plan**

**Issue:** Engagement with the Yorkshire Dales National Park Local Plan.

**Outcome:** Durham County Council considered the provisions of the Yorkshire Dales National Park Local Plan and confirmed support for their plan which was subsequently adopted in December 2016. The Yorkshire Dales National Park Authority have not commented upon the provisions of the emerging County Durham Plan.

**Working together in the future:** The Yorkshire Dales National Park Authority are now preparing a new local plan and work commenced in February 2018. In

accordance with the duty to cooperate, Durham County Council will engage with the new plan.

## **Tees Valley Region**

### **Geographical and functional relationships**

The Tees Valley lies to the south east of County Durham and consists of the five unitary authorities of Darlington Borough Council, Hartlepool Borough Council, Middlesbrough Council, Stockton-on-Tees Council and Redcar and Cleveland Council.

Local authorities in the Tees Valley have worked together to prepare the Tees Valley Minerals & Waste Core Strategy and the Tees Valley Minerals & Waste Policies and Sites document (both adopted on 15 September 2011).

The Tees Valley is a major centre of demand for aggregates (crushed rock and sand and gravel) in the North East region. Evidence as set out in the 'Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear' (2018) and the 'Local Aggregate Assessment for the North Yorkshire Sub-region', (2017) show significant complex cross boundary flows of aggregates between both North Yorkshire and County Durham and from both North Yorkshire and the Yorkshire Dales into Tees Valley.

Given Tees Valley's location between County Durham and North Yorkshire and the significant cross boundary flow of aggregates, the future provision of aggregates is a key matter for the duty to cooperate.

### **How we have engaged with one another**

In accordance with the requirements of the Duty to Cooperate both Durham County Council and the Tees Valley have cooperated on minerals and waste matters over many years. This cooperation has taken place through a number of means including:

- Tees Valley Development Plans Officers Meetings;
- Meetings including those of the North East Minerals and Waste Planning Officers Group which seeks to meet twice a year (formerly known as the Northern Counties); and
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the North Yorkshire Minerals and Waste Joint Plan which was adopted in March 2018 and the Local Aggregate Assessment for the North Yorkshire Sub-Region.

### **Minerals**

**Issue:** Ensuring an adequate and steady supply of minerals to meet local and wider needs.

**Outcome:** We have consulted the Tees Valley Authorities on our approach to minerals at successive stages of the preparation of the County Durham Plan and the

'Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear' (2018) and our approach to mineral safeguarding. Any comments received will be included in the individual authority sections below.

The Tees Valley Minerals and Waste Core Strategy DPD and the Tees Valley Minerals and Waste Core Strategy DPD were adopted in 2011. Durham County Council has sought to encourage the Tees Valley authorities to prepare a new minerals and waste local plan to take account of the Tees Valley Joint Local Aggregate Assessment, which Durham County Council has commented on during each iteration. However, to date no work has started and no indicative timescale for its preparation has been published.

**Working together in the future:** We will continue to contribute to reviews of the Tees Valley Joint Local Aggregate Assessment and any future consultation on any Minerals and Waste plans in the Tees Valley.

## **Waste**

**Issue:** Management of waste streams across local authority boundaries.

**Outcome:** The 'Addendum to 2012 study: Waste Arisings and Waste Management Capacity Model Durham County Council' (2018) identifies sizeable waste flows between County Durham and the Tees Valley and that are managed in waste management facilities within both councils' areas.

**Working together in the future:** Durham County Council are committed to working with the local authorities in the Tees Valley on future waste evidence documents.

## **Darlington Borough Council**

### **Geographical and functional relationships**

Darlington is one of the five unitary authorities within the Tees Valley. It lies on the southern boundary of County Durham. The boundary area is mainly rural in nature including designated Areas of High Landscape Value. Newton Aycliffe, and in particular Aycliffe Industrial Estate are located in close proximity to the boundary. Transport links between the two areas are extensive with a number of key transport corridors crossing between County Durham and Darlington including the A1, A66, A68, A167 and the East Coast Mainline and Bishop Auckland to Saltburn rail line.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Darlington Borough Council and Durham County Council have cooperated on a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a range of methods including:

- Tees Valley Development Plan Officers Group;
- Specific meetings between Durham County Council and Darlington Borough Council;

- Meetings of the North East Minerals and Waste Planning Officers Group which seeks to meet twice a year (formerly known as the Northern Counties);
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the Darlington Local Plan. A draft of the Plan was published in June 2018.

### **Specific planning issues and outcomes of our dialogue**

Darlington Borough Council provided comments on the County Durham Plan Preferred Options Consultation in 2018 offering broad support for the document (Comment ID 3785). No comments were received on the Pre-Submission Draft. Durham County Council considered the provisions of the Draft Darlington Local Plan comments were provided in relation to a number of matters relating to; Objectively Assessed Need and housing delivery; strategic allocations; Gypsy and Travellers accommodation; employment for economic growth; town centre and retail; environment; Darlington and Stockton railway; and transport and infrastructure, welcoming future engagement on these matters.

#### **Need for Green Belt Release**

**Issue:** Whether Darlington Borough Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Darlington on the 25th May 2018 formally requesting whether Darlington borough Council would be able to accommodate some of the objectively assessed housing need. Darlington responded on the 2<sup>nd</sup> July 2018 stating 'Darlington Borough Council will not be requesting County Durham to meet any of our housing need, nor is the Darlington Local Plan planning to meet any of the housing need of County Durham.'

#### **Housing Requirement**

**Issue:** Calculation of local housing need.

**Outcome:** Darlington responded to the Issues and Options consultation on the County Durham Plan with a number of questions on the assumptions used in the demographic modelling which at that time was underpinning the objectively assessed need (Comment ID 4913). These were responded to at the time however, now that Durham is using the Government's standard methodology, these are no longer relevant.

#### **Housing Allocations**

**Issue:** Co-ordination of housing allocations.

**Outcome:** Darlington were expecting interest in the land around School Aycliffe on the Darlington side of the administrative boundary. It was suggested that if land on the Durham side of the administrative boundary was to be allocated for new housing then it would be sensible to masterplan both sites together (Comment ID 4914). However, this land was not subsequently allocated in the County Durham Plan.

## **Economic Development**

**Issue:** Impact of Employment Growth.

**Outcome:** The County Durham Plan identifies significant employment land allocations of over 80 hectares in Newton Aycliffe in proximity to Darlington. Officers from Darlington attended the Durham Employment Land Review (ELR) workshop in February 2018 where the findings of the ELR were tested and presented. No concern from officers of Darlington Borough Council were expressed either at the workshop or during subsequent consultation on the County Durham Plan.

**Working together in the future:** We will continue to work with Darlington Borough Council in progressing economic development and investment.

## **Stockton and Darlington Railway**

**Issue:** Coordination of approach to the Stockton and Darlington Railway.

**Outcome:** The Stockton and Darlington Railway Historic Environment Audit identifies the historical importance and significance of the railway. The Audit was jointly commissioned by Durham County Council, Darlington Borough Council and Stockton-on-Tees Borough Council and is referenced in each local plan. The Audit also provides an action plan and makes recommendations for the conservation, interpretation and management of the route and its component parts.

**Working together in the future:** We will continue to work with Darlington Borough Council in protecting and enhancing the historic significance of the Stockton and Darlington Railway.

## **Transport Infrastructure**

**Issue:** The need for new development to be accommodated on the strategic highway network.

**Outcome:** Durham County Council and Darlington Borough Council both recognise a need to work together with the Highways England to ensure that the full amount of planned development in the area around the A1(M) and along the key routes leading to the motorway junctions can be satisfactorily accommodated on the strategic highway network. As a result, continuous dialogue has been undertaken with Highways England which in response to the Pre-Submission draft consultation have indicated that there are no capacity issues on the strategic highway network as a result of the development proposals in the County Durham Plan and Darlington Local Plan.

Funding has been secured to develop a Darlington High Speed 2 Growth Hub, which will bring benefits to the North East. Durham County Council welcome this development as it will benefit the economy and prosperity of County Durham. We have also requested that consideration is given to station improvements which would positively impact on services from Bishop Auckland to Saltburn.

Darlington's Local Plan includes a proposal for a new road to the north of Darlington linking the A167 junction on the A1(M) to the A66. This could have potential benefits to County Durham as a result of improved links to Teesport. Although the majority of this link will be located in Darlington Borough, a small part of the route - specifically the link to the A1 junction - will need to be in County Durham.

**Working together in the future:** We will continue to work with Darlington Borough Council in improving transport infrastructure, including progressing the Darlington Northern Link Road.

## **Safeguarded Areas**

**Issue:** Coordination of approach to the Safeguarded Area around Durham Tees Valley Airport.

**Outcome:** The Civil Aviation Authority requires local authorities to identify Safeguarded Areas around airports for 13 km as a bird strike hazard area and 15 km for a radius of critical airspace, where consultation with the airport operator will be required, regarding matters such as the safety of air traffic services. In both Durham and Darlington's local plans relevant policies have been included and consistent safeguarded areas shown on the policies maps.

**Working together in the future:** We will continue to work with Darlington Borough Council in relevant matters relating to Durham Tees Valley Airport.

## **Stockton Borough Council**

### **Geographical and functional relationships**

Stockton-on-Tees is one of the five unitary councils in the Tees Valley. It lies on the south eastern boundary of County Durham. The County boundary with the Borough is rural in character with areas of countryside on both sides of the boundary. Sedgefield is the closest settlement within County Durham and Wynyard is located within Stockton adjoining the boundary. Key transport links between the two authorities are the A177 and A689.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Stockton Borough Council and Durham County Council have cooperated on a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a range of methods including:

- Tees Valley Development Plan Officers Group;
- Specific meetings between Durham County Council and Stockton Borough Council;
- Meetings of the North East Minerals and Waste Planning Officers Group which seeks to meet twice a year (formerly known as the Northern Counties);

- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the Stockton Local Plan which was adopted on 30<sup>th</sup> January 2019.

### **Specific planning issues and outcomes of our dialogue**

Stockton-on-Tees Council have only provided comment at the Issues and Options stage welcoming engagement and committing to working with the council as the County Durham Plan progresses. No further comments were made on subsequent stages of the County Durham Plan.

Durham County Council provided no specific comments to the consultation on the final draft of the Stockton Local Plan as we were satisfied that there was no adverse impacts on County Durham.

### **Need for Green Belt Release**

**Issue:** Whether Stockton Borough Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Stockton on the 25<sup>th</sup> May 2018 formally requesting whether Stockton Borough Council would be able to accommodate some of the objectively assessed housing need. Stockton responded on the 4<sup>th</sup> June 2018 stating that 'it cannot accommodate any of the objectively assessed housing need as:

- There is likely to be capacity to accommodate the housing required by the Government's Standardised Methodology within County Durham; and
- Any additional housing required for economic growth purposes should be located sustainably to minimise the negative environmental impacts of the development'.

### **Stockton and Darlington Railway**

**Issue:** Coordination of approach to the Stockton and Darlington Railway.

**Outcome:** The Stockton and Darlington Railway Historic Environment Audit identifies the historical importance and significance of the railway. The Audit was jointly commissioned by Durham County Council, Darlington Borough Council and Stockton-on-Tees Borough Council and is referenced in each local plan. The Audit also provides an action plan and makes recommendations for the conservation, interpretation and management of the route and its component parts.

**Working together in the future:** We will continue to work with Stockton Borough Council in protecting and enhancing the historic significance of the Stockton and Darlington Railway.

### **Safeguarded Areas**

**Issue:** Coordination of approach to the Safeguarded Area around Durham Tees Valley Airport.

**Outcome:** The Civil Aviation Authority requires local authorities to identify Safeguarded Areas around airports for 13 km as a bird strike hazard area and 15 km for a radius of critical airspace, where consultation with the airport operator will be required, regarding matters such as the safety of air traffic services. In both Durham and Stockton's local plans relevant policies have been included and consistent safeguarded areas shown on the policies maps.

Working together in the future: We will continue to work with Stockton Borough Council in relevant matters relating to Durham Tees Valley Airport.

## **Hartlepool Borough Council**

### **Geographical and functional relationships**

Hartlepool is one of the five unitary authorities within the Tees Valley. It lies on the south eastern border of County Durham. Hartlepool Borough Council lies to the east of Sedgefield village and south of Blackhall Rocks and Crimdon. The county boundary with the Borough is mainly rural in nature including Areas of High Landscape Value. Transport links between the two areas are extensive and include the A19 and the A689 as well as the Durham Coast Line.

### **How we have engaged with one another**

In accordance with the Duty to Cooperate both Hartlepool Borough Council and Durham County Council have cooperated on a range of key strategic and other cross boundary issues over many years. This cooperation has occurred through a range of methods including:

- Tees Valley Development Plan Officers Group;
- N2K Working Group and Heritage Coast Partnership;
- Specific meetings between Durham County Council and Hartlepool Borough Council;
- Meetings of the North East Minerals and Waste Planning Officers Group which seeks to meet twice a year (formerly known as the Northern Counties);
- Through responses being provided upon each council's respective planning documents including successive stages of the County Durham Plan and the Hartlepool Local Plan which was adopted on 22<sup>nd</sup> May 2018.

### **Key planning issues and outcomes of our dialogue**

Hartlepool Borough Council provided comments on the County Durham Plan Issues and Options stage but no comments were received during the Pre-Submission Draft consultation. Durham County Council commented on the now adopted Hartlepool Local Plan at each stage.

### **Need for Green Belt Release**

**Issue:** Whether Hartlepool Borough Council were able to accommodate some of Durham's local housing need.

**Outcome:** The council wrote a letter to Hartlepool on the 25th May 2018 formally requesting whether Hartlepool Borough Council would be able to accommodate some of the objectively assessed housing need. Hartlepool responded on the 22<sup>nd</sup> June 2018 stating that they considered that the housing requirement should be able to be delivered across County Durham without a need to export the requirement to neighbouring authorities.

## **Housing Requirement**

**Issue:** Calculation of local housing need.

**Outcome:** Hartlepool responded to the Issues and Options consultation on the County Durham Plan with a number of questions on the assumptions used in the demographic modelling which at that time was underpinning the objectively assessed need (Comment ID 2257). These were responded to at the time however, now that Durham is using the Government's standard methodology, these are no longer relevant.

## **HRA**

**Issue:** The Durham Coast Special Area of Conservation (SAC) extends into parts of Hartlepool.

**Outcome:** In response to consultation on the Hartlepool Local Plan raised some concerns regarding the approach to the Habitat Regulations and suggested that further consultation with Natural England was necessary. As part of the N2K Liaison Group, DCC worked with Hartlepool, other neighbouring local authorities, Natural England and the RSPB to ensure a consistent, joined up and an effective method of assessment and mitigation which ensured that this element of the Hartlepool Local Plan was found sound.

**Working together in the future:** The council will continue to work closely with other authorities on HRA matters through the N2K Liaison Group.

## **Transport and Infrastructure**

**Issue:** Highway safety and capacity on the A19.

**Outcome:** Both Durham County Council and Hartlepool Borough Council both support Highways England proposals to improve capacity and safety on the A19 trunk road and its major junctions. Similarly, Durham welcomed Hartlepool's commitment to road improvements at the Elwick junction on the A19 which is to be part funded by the strategic housing site at Tunstall and which would resolve many of the wider Tees Valley's highway network issues.

**Working together in the future:** We will continue to work with Hartlepool Borough Council in improving transport infrastructure.

## Cooperation with other local authorities

### Overview

Given the economically important mineral resources in County Durham we have relationships with a number of local authorities which do not adjoin our boundary. Similarly, there are cross boundary flows of waste with distant planning authorities. Correspondence has also taken place with authorities outside of the North East regarding the disposal of low-level (LLW) and very low-level (VLLW) radioactive waste. As part of the Duty to Cooperate therefore we are in contact with authorities in relation to these issues.

In December 2013 as part of joint work with other councils in the North East ten<sup>4</sup> local authorities who were identified as having potential capacity to manage low level radioactive waste in their areas in the 2013 study<sup>5</sup> were contacted to find out further information. The conclusions of this consultation are summarised in '*Briefing Note on Implications of Replies to Low Level Radioactive Waste Duty to Co-operate letter*' (17th March 2014). No further work has been undertaken on this issue since the county council produced a 'Low Level Radioactive Waste (LLRW) Capacity Update' in 2016.

### Derbyshire County Council and Derby City Council

#### Minerals

In July 2015 the county council considered two consultation reports<sup>6</sup> produced by Derbyshire County Council and Derby City Council as part of their initial work upon the Derbyshire and Derby Minerals Local Plan.

Responses were provided because Derbyshire and County Durham are similar geologically, both containing scarce deposits of industrial minerals of national importance. In particular, Thrislington Quarry and Whitwell Quarry in Derbyshire and Nottinghamshire are the only areas in Great Britain that contain high grade dolomitic limestone which is suitable, after processing for use in the steel and chemical industries.

Providing a response to the Derbyshire and Derby Minerals Local Plan authorities was considered necessary to safeguard County Durham's interests. In particular, it was considered that in the long term it may help prevent County Durham from being the only source of high-grade dolomite in Great Britain. The council therefore offered our support to the proposed safeguarding of the Permian magnesian limestone

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<sup>4</sup> The ten local authorities who were identified as having potential capacity to manage low level radioactive waste in their areas were: Cheshire West and Chester Council; Cumbria County Council; Hampshire County Council; Kent County Council; Lancashire County Council; Leeds City Council; Northamptonshire County Council; Nottinghamshire County Council; Slough Council; and Suffolk County Council.

<sup>5</sup> 'Production and Disposal of Low-Level Radioactive Waste (LLW and VLLW) in the North East of England' (Urban Mines, August 2013).

<sup>6</sup> Planning and Assets Management Team 9 July 2015 'Towards a Strategy for Safeguarding Mineral Resources' & 'Towards a Strategy for Safeguarding Industrial Dolomite' (April 2015).

resource around Whitwell Quarry. The county council suggested that it may be prudent for Derbyshire to identify and specifically seek to safeguard any area or areas of high-grade dolomitic limestone which would be suitable for refractory use and steel making.

Following a request from Derbyshire County Council, in May 2019 we supplied Derbyshire County Council with an update on high grade dolomite (industrial dolomitic limestone) in County Durham at Thrislington East Quarry and also considered other options for future supply which included potentially two further sites which Tarmac, the operator of Whitwell Quarry, had previously proposed which subject to planning applications being submitted and planning permission being subsequently granted could provide a further 11.1 million tonnes of industrial dolomitic limestone.

On the basis of the above information it is concluded that the need for industrial dolomitic limestone is able to be met to 2032, and that in addition to future working at Thrislington Quarry that there are other options for supply in the long term.

## **Yorkshire and Humber Region**

### **Minerals**

During discussions between representatives of North Yorkshire, Wakefield, Leeds, Bradford and Doncaster Councils, as part of the duty to cooperate, the limited availability of information on magnesian limestone quarrying in the Yorkshire & Humber Region was identified as a concern. Therefore, in January 2017 Bradford City Council consulted on a paper relating to the quarrying of magnesian limestone including with Durham County Council. It was not considered necessary for the county council to respond.

### **Suffolk County Council**

#### **Minerals and Waste**

In January 2017 Suffolk County Council consulted Durham County Council on the Issues and Options for their Minerals and Waste Local Plan. It was not considered necessary to submit any comments.

### **Lancashire County Council**

#### **Minerals**

Durham County Council was consulted by Lancashire County Council on their Local Aggregate Assessments in both 2017 and 2018 due to a minor supply relationship of crushed rock being imported from County Durham. In 2018 Durham responded to support the use of 3-year average sales average data as this is consistent with the approach of the 'Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear' (2018).

## **Cheshire East, Cheshire West and Chester Councils**

### **Minerals and Waste**

Durham County Council have been consulted by Cheshire East on a Minerals and Waste Development Plan Issues paper and its Local Aggregate Assessment due to a minor supply relationship of crushed rock consumption/imports being imported from County Durham and waste movements. In its response the county council advised that it did not wish to comment on its content in respect to waste other than to advise that the movements are not considered to be strategic in nature.

### **West Sussex and South Downs National Park Authority Minerals**

Durham County Council was contacted by the South Downs National Park Authority in January 2017 and asked for its views in the proposed Submission Draft West Sussex Joint Minerals Local Plan. The council was contacted because of a silica sand resource which is present in both West Sussex and County Durham. It was not considered necessary to respond with any specific comments.

### **Wakefield Council**

#### **Waste**

In June 2018 Durham County Council was consulted by Wakefield Council on waste movements between County Durham and Wakefield. The county council's response in July 2018 advised that using the identified criteria for strategic waste movements in their letter that only two identified waste flows appear to be strategic. These were the 1,621.4 tonnes of inert /C+D waste imported by URM (UK) Limited and the 206.16 tonnes of hazardous waste imported by Wastecare Limited. On the basis that the imports to Wakefield were made by private waste companies the county council advised that we were not able to confirm whether these imports were likely to continue to occur.

## **Section 5**

### **Overview of our cooperation with prescribed bodies**

This section of the document provides an overview of our interface with each prescribed body in turn, setting out:

- The mutually relevant functional and geographic relationships which influence the nature of our dialogue.
- How we have co-operated and maintained an open, effective dialogue throughout plan making
- The key planning issues that have been the subject of our dialogue
- How our dialogue has influenced policy making; and
- Whether there are any unresolved planning matters.

### **The Environment Agency**

#### **Functional and geographical relevance**

The Environment Agency (EA) is an executive non-departmental public body sponsored by the Department for Environment, Food and Rural Affairs. It was established in 1996 to protect and improve the environment.

The EA covers the whole of County Durham and is responsible for:

- Regulating major industry and waste;
- Treatment of contaminated land;
- Water quality and resources;
- Fisheries;
- Inland river, estuary and harbour navigations;
- Conservation and ecology; and
- Managing the risk of flooding from main rivers, reservoirs, estuaries and the sea.

#### **How we have engaged with one another**

We have maintained regular contact with the Environment Agency throughout the preparation of the County Durham Plan. This has included specific meetings to discuss various aspects of the Plan, the commissioning and review of the Strategic Flood Risk Assessment and Water Cycle Study as well as regular liaison meetings through several environmental and flood risk partnerships, which included plan updates and discussions on content. Further dialogue has been conducted via email and telephone, for example as policy content has been refined.

#### **Key outcomes of our dialogue**

Through regular dialogue with the Environment Agency we have addressed concerns raised either through the individual consultation stages or through discussions as the policies have been developing. There are a number of partnership groups which both the Environment Agency and Durham County Council attend, which seek to address issues at a more strategic level including catchment scale projects specifically aimed at Water Framework Directive improvements and/or

cross boundary flooding or mineral and waste issues which have also informed the policy wording and supporting text. The Environment Agency were supportive of our policy wording and approach to the allocation of mineral sites and sites for hazardous or low level radioactive waste, highlighting the importance of protecting groundwater.

Having developed the water management policies in partnership with the Environment Agency, they have subsequently supported the policy approach to water management and flood risk, particularly regarding the appropriateness of development within flood zones, welcoming the SuDS requirements within new developments (including their positive contribution to biodiversity net gain) and agreeing that groundwater should be protected from negative impacts from development. Following a North East pilot project with the Coal Authority, the Environment Agency identified that additional wording needed to be included in the Water Management policy to acknowledge that over the Plan period the groundwater levels in some areas were likely to increase as mine pumping regimes and climate change affected local groundwater levels. As advice from central government changed regarding climate change figures and targets, the Environment Agency provided guidance on how the policy could be amended, which was undertaken for the Pre-Submission Draft.

The Strategic Flood Risk Assessment (SFRA) informed discussions with the Environment Agency around flood risk and the proposed site allocations at each stage of the consultation. At the Preferred Option stage the Environment Agency advised that the Northern and Western Relief Roads, and in particular the crossings of the River Wear and River Browney should be assessed further and if required taken through the sequential and exception tests within an updated SFRA. As a result, the sequential test was updated and agreed with the Environment Agency. As the detailed design of the two relief were not sufficiently developed to comment on as part of the plan making process, it was agreed that the Environment Agency would be involved as early as possible in discussions around design, construction and any potential footprint in the River Browney, the River Wear and the functional floodplain resulting from any new bridges.

In response to the Pre-Submission Draft consultation the EA raised no outstanding concerns with the Plan or its policies. They did highlight some potential minor modifications to improve clarity and these have been accommodated where possible.

## **Historic England**

### **Functional and geographical relevance**

Historic England are the national body for the historic environment. They provide advice to local authorities, developers and owners of listed buildings on planning matters. County Durham has a wealth of designated and non-designated heritage assets dispersed across its area.

### **How we have engaged with one another**

We have maintained regular contact with Historic England throughout the preparation of the County Durham Plan. This has included meetings to discuss various aspects of the Plan, as well as quarterly liaison meetings led by the council's Design and Conservation Team, which included Plan updates and discussions on content. Further dialogue has been conducted via email and telephone, for example as policy content has been refined.

## **Key outcomes of our dialogue**

### **Heritage Policies**

Historic England submitted comments to the Issues and Options draft of the County Durham Plan, highlighting best practice guidance and giving general support to the positive approach set down in the Plan. This was subsequently discussed at the liaison meetings, including the Plan's approach to the historic environment and the World Heritage Site (WHS). At the request of Historic England these topics were arranged into a single policy for the historic environment. However, following further discussion, it was decided to revert back to having separate policies to provide a greater level of detail and emphasis for the WHS. Subsequent drafts were shared with Historic England. As part of these discussions we agreed to highlight the positive strategy for the historic environment which the council are committed to undertaking in line with national guidance. This is now set out at the beginning of the Conserving and Enhancing the Natural and Historic Environment chapter.

In the intervening period leading up to the Preferred Options discussions with the Friends of Stockton and Darlington Railway (S&DR) and Historic England raised the issue of including a specific policy for the S&DR. The justification for this was the railway's scale and unique importance to worldwide railway history, as well as the fact that the line crosses three administrative boundaries. As a result of these discussions a policy was included, in the Pre-Submission Draft this is Policy 47 (Stockton and Darlington Railway).

Historic England submitted more in-depth comments in relation to the three heritage policies in the Preferred Options draft of the Plan. These comments focussed on ensuring closer alignment to national policy, as well as making the WHS policy more locally-specific and to ensure it provides the highest level of protection (Comment ID 4191, 4192 and 4193). Comments in relation to the S&DR Policy sought greater protection of the asset and recognition of the potential to develop the asset as a visitor attraction. The majority of these suggestions were incorporated. Further meetings, including following publication of the Pre-Submission draft of the Plan, confirmed that Historic England are now satisfied with these policies.

### **Retail**

The Retail and Town Centre Study was published alongside the Preferred Options consultation of the Plan. We received no specific responses from DTC bodies on the findings of the Study. However Historic England commented that the Preferred Options policy could reflect the need to diversify away from A1 uses within the Primary Frontages. Historic England also raised concerns over the impact the defined district centres may have on Durham City Centre and Chester-le-Street town

centre. The Pre-Submission Draft addressed these concerns by introducing a more flexible approach to non-A1 uses within the Primary Shopping Areas and an impact test for proposals within district centres to control development and consider the impact on higher order centres (including Durham and Chester-le-Street). The Pre-Submission draft also reflected Historic England's comments on the need to mention the Bishop Auckland Heritage Action Zone within the supporting text. It was considered that further comments raised by Historic England, in relation to Policy 2 (Employment Land) and Policy 3 (Aykley Heads), would be addressed by the scope of the design and conservation policies within the Plan.

## **Transport**

Historic England have commented on the transport elements of the Plan, including the Durham City Sustainable Transport Delivery Plan. Overall, Historic England welcomed the very positive approach to promoting more sustainable modes of transport within Durham City, providing the potential impacts upon the historic environment, whether directly or indirectly, are given full consideration (Comment ID 57).

Comments made in respect of the Preferred Options draft of the Plan identified the need for further work in relation to the heritage impacts associated with the Western and Norther Relief Roads. Further evidence base work was published undertaken and published alongside the Pre-Submission Draft. During the following consultation Historic England welcomed this further work. Discussions will continue with Historic England as part of more detailed work to finalise the routes and detailed design of the roads.

## **Green Belt**

In 2016, Arup were appointed to prepare a 'Green Belt Assessment' for the county which would independently and objectively assess the extent to which areas of Green Belt within County Durham meets the five purposes as set out in National Planning Policy Framework (NPPF). County Durham's Green Belt is in three parts: north Durham; north east Durham and the City of Durham Green Belt. Purpose 4: 'to preserve the setting and special character of historic towns' is of primary importance to the City of Durham Green Belt owing to the designation of the World Heritage Site and the extent of the Durham City conservation area.

A draft methodology for assessing Purpose 4 as part of the Green Belt Assessment was discussed with Historic England and a number of amendments were made to ensure the assessment was robust, including; an understanding of significance for listed buildings; inclusion of the landscape character assessment; and consideration of key approaches and journeys into the city. The final methodology for Purpose 4 was confirmed as being 'robust' by Historic England.

At the Pre-Submission Draft consultation stage, representations were received from Historic England proposing wording changes to Policy 5 (Sustainable Urban Extensions) (Comment ID 3051). Whilst we believe that the current wording of the policy is sound and does not therefore require a minor modification it is recognised that the wording would be improved if criterion (f) was amended from 'considered' to

'have special regard' and criterion (o) reworded to ensure that the need to avoid harm is implicit in the wording.

## **Site Allocations**

Through Historic England's representations and subsequent discussions, following the Preferred Options consultation, it was agreed that the evidence base in support of the housing allocations and employment land allocation required a more robust assessment of the potential impacts of these sites on the historic environment. Heritage Impact Assessments were therefore prepared in support of the chosen allocations and amendments made to the allocations where necessary. These assessments were published alongside the Pre-Submission Draft. Historic England have indicated that it may be helpful to cross-reference this work in the supporting text to the relevant policies. Whilst this would provide some clarity the council believe the current wording is sound and that no change is necessary.

Our discussions in relation to Purpose Built Student Accommodation identified potential sensitivities in relation to redeveloping existing university sites. As a result of our dialogue Heritage Impact Assessments were prepared to inform the site allocations identified in Policy 16 (Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation) which identified any potential constraints.

## **Additional matters**

Historic England have advised on a wider range of matters during the preparation of the Plan, including the review of the Green Belt, design matters, landscape and heritage coast policies, and, visitor attractions and accommodation. Through our ongoing discussions and amendments made to the Plan as it has progressed these matters have been addressed. For example, additional text has been added to several policies, the vision and objectives to ensure the historic environment is explicitly mentioned.

## **Natural England**

### **Functional and geographical relevance**

Natural England are the government's adviser for the natural environment in England, helping to protect England's nature and landscapes for people to enjoy and for the services they provide.

Natural England covers the whole of County Durham and are responsible for:

- Promoting nature conservation and protecting biodiversity;
- Conserving and enhancing the landscape;
- Securing the provision and improvement of facilities for the study, understanding and enjoyment of the natural environment;
- Promoting access to the countryside and open spaces and encouraging open-air recreation; and

- Contributing in other ways to social and economic well-being through management of the natural environment, e.g. changes to wildlife licensing to improve flexibility for developers.

## **How we have engaged with one another**

We have maintained regular contact with Natural England throughout the preparation of the County Durham Plan. This has included specific meetings to discuss various aspects of the Plan, the development of the 'Habitat Regulations Assessment (HRA)' and the 'HRA: Developer Guidance and Requirements in County Durham' document, as well as regular liaison meetings through several environmental and HRA partnerships, which included plan updates and discussions on content. Further dialogue has been conducted via email and telephone, for example as policy content has been refined.

## **Key outcomes of our dialogue**

### **Habitat Regulations Assessment**

Natural England highlighted that the Conservation of Habitats and Species Regulations 2010 (as amended) had been replaced by the Conservation of Habitats and Species Regulations 2017 and that the Plan should reference this accordingly together with that the recent 'People Over Wind' Ruling by the Court of Justice of the European Union. Natural England also noted that the formal consultation on the extension to Teesmouth and Cleveland Coast Special Protection Area (SPA) had commenced, which included an extension within County Durham, which should therefore be included within the HRA and on the policies map. They also requested a number of other changes to Policy 43 (Internationally Designated Sites). They also suggested that monitoring should be made more specific and the use of the IROPI test as a target should be reviewed.

Following duty to cooperate discussions the wording of Policy 43 (Internationally Designated Sites) and supporting text in the Pre-Submission Draft was amended to make reference to the new 2017 Habitat Regulations and the People Over Wind Ruling, the extension to the Teesmouth and Cleveland Coast SPA and the monitoring of the delivery and effectiveness of mitigation measures as suggested.

### **Biodiversity**

Through Pre-Submission Draft consultation, Natural England welcomed the inclusion of a requirement for new development to be expected to provide net gains for biodiversity and is satisfied that taking the proposed mitigation measures into account, it can be ascertained that the Plan will not have adverse effects on the integrity of the Internationally Designated sites.

### **Transport**

Natural England did note that the Plan safeguards two routes for the Northern Relief Road (NRR). One route transversing Brasside Pond Site of Special Scientific Interest (SSSI) and the other route avoids the SSSI but has the potential to cause a larger

loss of ancient woodland. They requested that when proposals for the NNR progress, that these should follow the 'avoid – mitigate – compensate hierarchy' as in Policy 42 (Biodiversity and Geodiversity) of the Plan and the NPPF. It was agreed through Duty to Cooperate discussions that Natural England would be kept informed as plans for the roads progressed and would be consulted at an early stage once a preferred route had been agreed for planning application.

## **Wind Turbines**

At the Issues and Options stage Natural England were generally happy with the council's approach, however there would need to be exceptions as single micro-turbines would not readily fit within this approach. This was addressed through the Wind Turbine Evidence Paper and the addition of areas suitable for micro turbines on the proposals map.

## **Homes England (formerly the Homes and Communities Agency)**

### **Functional and geographical relevance**

In January 2018 the Homes and Communities Agency (HCA) was renamed Homes England. It is central government's housing, land and regeneration agency, and the regulator of social housing providers in England.

Homes England's remit covers the whole of County Durham and are responsible for:

- Increasing the number of new homes that are built in England, including affordable homes and homes for market sale or rent;
- Improving existing affordable homes and bring empty homes back into use as affordable housing;
- Increasing the supply of public land and speed up the rate that it can be built on;
- Regulating of social housing providers to make sure that they're well managed and financially secure, so maintaining investor confidence in the affordable housing sector and protecting homes for tenants; and
- Stimulating local economic growth by using their land and investment and attracting private sector investment in local areas.

### **How we have engaged with one another**

The principle means by which this council holds dialogue with Homes England is through the Durham County Housing Forum, of which Homes England is an active member. That group has received regular updates on Plan progress and has been the forum for collective discussion on housing matters in the county.

In addition to this forum, officers also collaborate with Homes England in delivering affordable homes and in the reuse of empty properties. This council is also in receipt of Homes England funding streams for the Housing Infrastructure Fund and Accelerated Construction programmes which both seek to remove barriers to housing development on specific sites within the county.

### **Key outcomes of our dialogue**

Our dialogue with Homes England provides us with an invaluable understanding of the national and regional context within which we are planning and is predominantly delivery focussed rather than directly influencing local policy development. Whilst Homes England have been kept informed of plan preparation it has not formally commented on the content of the Plan.

## **Clinical Commissioning Groups**

### **Functional and geographical relevance**

There are two Clinical Commissioning Groups (CCGs) in County Durham, North Durham CCG and Durham Dales, Easington and Sedgefield CCG, serving a population of approximately 550,000 people. The Durham Dales Locality covers small urban and large rural areas covering 540 square miles with significant challenges to delivering healthcare. The Easington Locality covers one of the most deprived areas nationally and has some very significant health challenges and poorer health outcomes.

### **How we have engaged with one another**

Since 2016 we have worked with Public Health colleagues who act as the conduit and linkage to the two CCGs, NHS Property Services and County Durham and Darlington NHS Foundation Trust on the development of the County Durham Plan. This has included the sharing of all housing and employment sites and Plan policies as they have evolved during the various stages of consultation on the Plan. This work has helped to identify potential challenges and 'hotspot' areas for health provision, mainly associated with GPs and this work has fed into the development of the Infrastructure Delivery Plan.

The council have also attended CCG board meetings, sharing developments on the Plan and all planning applications are consulted on directly with the CCGs. Wider work has included the Plan, as it has developed, informing the Pharmaceutical Needs Assessment work and in some cases proposed housing allocations have been used as a reason to retain and safeguard future pharmacy provision.

### **Key outcomes of our dialogue**

As a result of our dialogue the expansion plans of Durham University have been shared with Public Health, CCGs, NHS Property Services and County Durham and Darlington NHS Foundation Trust so early planning can start on developing mitigation for the anticipated increase in student numbers.

More recently the council, including Public Health and the CCGs, have worked on developing a Durham County Council policy for calculating developer contributions to health provision. If approved by Cabinet (it is programmed for September 2019) it will see the introduction of formal arrangements to secure developer contributions to fund GP premises extensions for consulting and treatment space where clear demand pressures as a result of development can be demonstrated. This will be the culmination of 3 years of partnership working between planning and health colleagues.

Whilst CCGs and the NHs have been kept informed of plan preparation they have not formally commented on the content of the Plan.

## **Office for Rail Regulation (Network Rail)**

### **Functional and geographical relevance**

Network Rail is the monopoly owner and operator of the railway network in County Durham, including track, signalling, bridges, tunnels and stations.

The Office for Rail Regulation hold network rail to account by ensuring that it meets its obligations in providing a safe, high-performing, and efficient railway.

The primary rail line in County Durham is the East Coast Mainline but there are also the Durham Coast Line and Bishop Auckland to Saltburn line. The Plan also includes proposals for a new rail station at Horden and the reopening of the Leamside Line.

### **How we have engaged with one another**

The Office for Rail Regulation have not engaged in the preparation of the County Durham Plan. However, we meet Network Rail regularly as members of the Road Rail Partnership where issues relating to the Plan and in particular Horden Rail Station are discussed.

There are also a number of other groups where the council's functions overlap with those of Network Rail including the NERMU (North East Rail Management Unit), ECMA (East Coast Mainline Authorities) and ongoing work with Transport for the North (TfN).

### **Key outcomes of our dialogue**

Through their response to the Preferred Options, Network Rail requested that the Provision of Transport Infrastructure policy should include a specific criterion to address level crossing safety (Comment ID 681). As County Durham only has a small number of level crossings it was not felt necessary to add an additional criterion to the policy. However, text was added to paragraph 5.213 of the supporting text of Policy 22 (Delivering Sustainable Transport) in the Pre-Submission Draft to specify that transport assessments must include consideration of the impact of new development on level crossings. The council also continue to work with Network Rail through the Road Rail Partnership to facilitate the closure of level crossings where appropriate.

Network Rail support the opening of Horden Rail Station and the re-opening of the Leamside Line in Policy 24 (Allocating and Safeguarding Transport Routes and Facilities).

## **Civil Aviation Authority C/O Newcastle International Airport Limited (NIAL) and Durham Tees Valley Airport (DTV Airport)**

### **Functional and geographical relevance**

The Civil Aviation Authority is the regulatory authority for aviation in the UK, creating and enforcing rules and regulations for aircraft, airports and airlines. Aerodrome

safeguarding is included in UK Legislation as an integral part of planning procedures as outlined in the joint Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002. Annex 3 of the Direction lists all officially safeguarded civil aerodromes which includes Newcastle and Durham Tees Valley Airports.

### **How we have engaged with one another**

Both Newcastle International Airport Limited (NIAL) and Durham Tees Valley (DTV) Airport have assumed responsibility from the Civil Aviation Authority (CAA) as the statutory safeguarding consultee for developments within its aerodrome area. Bearing in mind the role of both NIAL and DTV Airport in relation to safeguarding, throughout the preparation of the Plan we have sought to engage with both NIAL and DTV Airport on an ongoing basis through formal consultation and officer engagement.

### **Key outcomes of our dialogue**

Through representations to the Preferred Options NIAL confirmed the need for a plan policy to safeguard both airports in relation to tall structures, including wind turbines, which could impact protected navigational surfaces, create bird strike/collision hazards or compromise airport operations.

Following receipt of NIALs comments on the Preferred Options, on contact was also made to discuss amendments to the Plan including:

- Adding the NIAL 30km wind farm consultation boundary to the Policies Map,
- Amending the policy to include requirement to consider mitigation to reduce or remove the potential impacts;
- Amending the policy to include requirement to consider cumulative impacts; and
- Amending the supporting justification to add text on the type of development which will be subject to aerodrome safeguarding.

NIAL subsequently confirmed that the changes proposed to the draft policy and supporting text address the issues raised in the Airport's response to the draft Local Plan. Following consultation on the Pre-Submission Draft Plan in January 2019, upon which NIAL did not respond, NIAL again confirmed on that the policy and supporting text address the issues raised in response to the Plan.

As no response had been received from DTV airport in relation to the Plan and the council were aware that a change in operator had taken place a meeting was arranged to discuss airport safeguarding issues which DTV Airport was represented.

During that meeting we explained that Peel Airport, the former owners of DTV Airport, had previously made comments on the withdrawn plan which were instrumental to the preparation of the Safeguarded Areas (Policy 29) and contributed to the preparation of Policy 35 (Wind Turbine Development). DTV advised that the proposed safeguarded zones (13km for birds strike/collision, 15km for protected surfaces and 30km for radar from wind turbines) were viewed as being acceptable. In addition, it was also agreed that there are no outstanding issues between DTV and council in relation to the County Durham Plan and that the council and the new

owners and operators of the DTV Airport will continue to develop the relationship going forward.

## **Highways England**

### **Functional and geographical relevance**

Highways England has responsibility for maintaining and improving the Strategic Road Network (SRN). In County Durham, this includes the A19, A66 and the A1(M). The A1(M) motorway is one of the county's most important economic assets in terms of facilitating strategic access to, from and within the central corridor of County Durham. Newton Aycliffe, Spennymoor, Durham City and Chester-le-Street are all located near this nationally important economic and transport corridor.

The A19 provides a north-south link through the east of the county linking Peterlee and Seaham to Tyne and Wear and Tees Valley. The A66 is located in the south of the county and provides Barnard Castle with an east-west link to the A1(M) at Scotch Corner and the M6 at Penrith. Transport for the North (TfN) are proposing upgrades to the A66 to dual areas to the west of the county.

### **How we have engaged with one another**

Durham County Council meet with Highways England on a regular basis. The meetings include regular discussion of the progress of the County Durham Plan and have held in addition to the formal consultation processes.

### **Key outcomes of our dialogue**

Highways England have considered the impact of the employment and housing allocations at each stage. In response to the Preferred Options and the Pre-Submission Draft Plan, Highways England have confirmed that traffic growth associated with the Plan is not of concern as the growth is within the levels that would have been forecast by TEMPRO (background) growth. As a result Highways England have not raised any concerns with the impact of the County Durham Plan on the Strategic Road Network and in fact have expressed support for the housing allocations (Comment ID 1243), the strategic employment site at Aykley Heads (Comment ID 1240), the Northern and Western Relief Roads (Comment ID 1280) and the transport proposals in Policy Allocating and Safeguarding Transport Routes and Facilities) (Comment ID 1282) amongst other policies.

Highways England did request a number of minor amendments to the Infrastructure Delivery Plan to reflect changes in circumstances and references to further modelling work which Highways England have confirmed is no longer required. The council have agreed to make a number of minor modifications to the IDP to reflect these comments.

In response to a number of representations proposing alternative routes for the Northern Relief Road which included a new junction on the A1, the council requested confirmation from Highways England on whether a new junction located a short distance north from existing Junction 62 at Belmont would be acceptable. Highways

England confirmed that a new junction in this location would not be easily accommodated as it would diminish the safety and performance of the Strategic Road Network. A new junction could be acceptable in this location but only if the scale of new development proposed was to house in excess of 50,000 people which is much higher than anything envisaged in the Plan.

Discussions held with Darlington Borough Council and Highways England have indicated that there is an emerging proposal for a new road to the north of Darlington which will link the A167 junction on the A1(M) to the A66. Joint discussions have been positive with Durham recognising the benefits to County Durham with better links to Teesport and the Tees Valley. It is agreed, in principle, that part of the route, specifically the link to the A1 junction, will be in County Durham and this will be discussed further as proposals emerge from Darlington.

## **The Marine Management Organisation (MMO)**

### **Functional and geographical relevance**

The marine Management Organisation (MMO) is an executive non-departmental public body, sponsored by the Department for Environment, Food & Rural Affairs which licenses, regulates and plans marine activities in the seas around England so that they're carried out in a sustainable way.

The council works closely with the MMO and other partners in planning and managing our coastal areas. It is also important that local plans and marine plans fully consider the impacts of each on the other. Local plans and marine plans overlap between the high tide and low tide levels and development in the marine area can often cross over into the remit of a local Plan.

### **How we have engaged with one another**

As the Marine Plan and the County Durham Plan have been developed with similar timescales Durham County Council has been working closely with the MMO at each stage of consultation to ensure that any potential issues between the two plans are identified and addressed as early as possible.

Durham have also signed up to the Coastal Concordat for England in 2014. This coastal concordat is an agreement between the Department for Environment, Food and Rural Affairs, the Department for Communities and Local Government, the Department for Transport, the MMO, the Environment Agency, Natural England and the Local Government Association's Coastal Special Interest Group. It sets out the principles according to which the regulatory and advisory bodies propose to work with local planning authorities to enable sustainable growth in the coastal zone.

Durham have attended several consultation workshops and fed into teleconference/webinar consultation events as well as submitting formal comments to the last round of consultation on the first draft of the Marine Plan's more detailed policies. The MMO have submitted formal comments to the Preferred Options and Pre-Submission Draft versions of the Plan as well as discussing the interactions between

the two plans as part of their own consultation events and during duty to cooperate meetings held in association with the County Durham Plan consultation events.

### **Key outcomes of our dialogue**

The MMO highlighted that reference should be made to the Marine Policy Statement particularly in reference to marine aggregates (Comment ID 1693). Reference to the Marine Policy Statement was subsequently included within the Pre-Submission Draft of the Plan.

In their response to the Pre-Submission Draft the MMO appreciated the reference to collaborative working with the Marine Management Organisation in planning and managing the coastal area, highlighting guidance on the MMO website, the North East Marine Plan and the MMO Marine Information System (MIS) and the use of the seascape definition (Comment ID 945). They suggested that the Plan should highlight that the MMO has authority for England only and that we should reference our commitment to sign up to the coastal concordat. Following further discussions as part of the duty to cooperate the MMO conceded that the overlapping of the two plans only affected part of England and therefore there was no need to specifically mention it in the text of the policy. They also welcomed that we had already signed up as members to the Coastal Concordat.

As part of the series of MMO consultation events, Durham helped shape the areas of shared interest, highlighted the need for a balance between policies promoting economic and social growth with environmental considerations and provide detailed comments on a wide range of policies within Iteration 3 of the Marine Plan.

### **The Integrated Transport Authority**

#### **Functional and geographical relevance**

Durham County Council provide the functions of an Integrated Transport Authority. Although the work of the Integrated Transport Authority is overseen by the Joint Transport Committee (JTC), the following transport functions are delegated back to Durham County Council:

- Considering and recommending to Joint Transport Committee the creation and development of Advanced Quality Partnership Schemes, Franchising Schemes and Enhanced Partnership Plans and Schemes;
- Implementing Concessionary Travel Schemes;
- Implementing Advanced Ticketing Schemes;
- Determining local bus information to be made available and how it should be made available;
- Determining the operation, performance and development of accessible transport provision (including the provision of grants);
- All obligations of County Councils relating to mandatory travel concessions; and
- Those functions of County Councils set out in Part IV of the Transport Act.

#### **How we have engaged with one another**

The Integrated Transport Authority function sits within the same directorate as the Spatial Policy team that have overseen preparation of the County Durham Plan. function. There is a history of good collaborative working across the directorate including regular meetings including management team meetings. The Integrated Transport Authority have influenced the highways related content of the Plan from its inception through meetings, workshops and advising on relevant evidence base documents.

### **Key outcomes of our dialogue**

At each stage of plan preparation, a series of meetings and workshops have been undertaken to consider policy formulation related to those policies which have integrated transport implications. In addition, the Integrated Transport team advised on public transport accessibility for sites considered as part of the Strategic Housing Land Availability Assessment (SHLAA) which subsequently informed the selection of housing allocations. The Integrated Transport Authority have also advised on the accessibility of employment land and other allocations.

### **Highways Authority (i.e. Durham County Council)**

#### **Functional and geographical relevance**

Being a unitary authority, this council is the Highway Authority for the whole of County Durham.

#### **How we have engaged with one another**

The Highways Authority function sits within the same directorate as the Spatial Policy team that have overseen preparation of the County Durham Plan. There is a history of good collaborative working across the directorate including regular meetings including management team meetings.

The Highways Authority have influenced the highways related content of the Plan including any proposed new highways infrastructure, such as relief roads, from its inception through meetings, workshops and advising on relevant evidence base documents.

### **Key outcomes of our dialogue**

At each stage of plan preparation, a series of meetings and workshops have been undertaken to consider policy formulation related to those policies which have highways implications. In addition, the Highways Authority advised on highway matters for sites considered as part of the Strategic Housing Land Availability Assessment (SHLAA) which subsequently informed the selection of housing allocations. The Highways Authority have also advised on the suitability of employment land and other allocations from a highways perspective.

## Section 6

### Next Steps

#### Status of Plan Making Relevant to County Durham

As can be seen, some authorities have adopted or are preparing single local plans, whilst others are preparing a number of development plan documents which when adopted will form their respective development plans. The table below shows the current stage of plan preparation for each neighbouring local authority.

**Figure 7: Progress on local plans**

LPA	Local Plan document	Status	Plan period
Sunderland City Council	Core Strategy	Submitted December 2018	2010- 2033
Gateshead Council	Core Strategy and Urban Core Plan	Adopted 2015	2010- 2030
	Making Spaces for Growing Places (MSGP) Local Plan Document (LPD)	Submitted April 2019	2015 - 2030
South Tyneside Council	South Tyneside Local Plan	Growth Options - Consultation Results published July 2015	2015-2035
Yorkshire Dales National Park Authority	Yorkshire Dales National Park Local Development Scheme	Consultation to take place from January 2020	2023-2040

Northumberland County Council	County Local Plan	Submission May 2019	2016-2036
Eden District Council	Eden District Local Plan	Adopted October 2018	2014-2032
Cumbria County Council	Cumbria Minerals and Waste Local Plan (CMWLP)	Adopted September 2017	2015 - 2030
Richmondshire District Council	Richmondshire Local Plan 2012-28: Core Strategy	Adopted December 2014	2012-28
	Local Plan Review	Issues and Options consultation completed in October 2018	2014-2035
North Yorkshire County Council	Minerals and Waste Joint Plan	Additional Examination in Public hearings held in January 2019	2017-2030
Darlington Borough Council	Darlington Borough Local Plan	Consultation held June 2018	2016-2036
Stockton Borough Council	Stockton-on-Tees Borough Council Local Plan	Adopted January 2019	2017-2032
Hartlepool Borough Council	Hartlepool Local Plan	Adopted May 2018	2016-2013

### **Working together in the future**

The Duty to Cooperate requires local planning authorities to constructively and actively engage with relevant bodies as part of an ongoing process of strategic planning. This relates to all stages of development plan production and review. The council looks forward to ongoing engagement with our neighbouring local authorities, the prescribed bodies and other key agencies to continue to manage strategic cross boundary matters and to develop effective planning policies and delivery strategies.

However, we recognise that compliance with the Duty to Cooperate is an ongoing process and this Statement will be updated as part of an iterative process at each stage of the County Durham Plan.