

Cabinet

10 June 2015



Assessing Development Proposals in County Durham in the Light of the Inspector's Interim Report on the County Durham Plan

Report of Corporate Management Team

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Development**

**Councillor Neil Foster, Cabinet Portfolio Holder for Economic
Regeneration**

Purpose of the Report

- 1 To assess and approve a Policy Position Statement which will provide a consistent approach to determining planning applications in the light of publication of the Inspector's Interim Report of the County Durham Plan (CDP) for Members, Officers, Developers and the public.

Background

- 2 On 18 February 2015 the Planning Inspector published his report into Stage 1: "Interim Views on the Legal Compliance and soundness of the Submitted County Durham Plan". This report (hereafter referred to as the Interim Report) details the Inspector's concerns regarding the key parts of the Plan's strategy and economic ambition and its intention to focus key development in and around Durham City.
- 3 The inevitable delay the publication of the Interim Report will cause in the adoption of the CDP will make it more difficult to improve the economic performance of the County by potentially delaying appropriate development and investment. Equally, the uncertainty could be perceived as reducing the Council's ability to resist inappropriate development.

Assessing Development Proposals in County Durham

- 4 The Statement is titled as above and attached for information at Appendix 2. It sets out how development proposals will be assessed, with guidance on the following matters:
 - i) The status of the existing Adopted Local Plans in County Durham;
 - ii) The status of the County Durham Plan;
 - iii) The status of proposals in the Inspector's Interim Report;
 - iv) The Status of Neighbourhood Plans in County Durham;

- v) The Council's understanding of Sustainable Development;
 - vi) Infrastructure requirements and planning obligations;
 - vii) Appropriate scale of development;
 - viii) How will the matter of Prematurity be addressed; and
 - ix) Five-year housing land supply.
- 5 A section addressing the issues around student accommodation in Durham City sets the policy context in light of the publication of the Interim Report and seeks to clarify this matter. The section does not address the matter of the benefits or otherwise of an introduction of an Article 4 Direction relating to Student Accommodation in the City. This matter will be considered independently.
- 6 The final section of the Statement comprises a flow chart to set out an approach to considering proposals in a consistent way for the benefit of Members, Officers, developers and the public.
- 7 Cabinet approved a similar document in May 2012, at that time it was intended to provide clarity in response to the Localism Agenda at a time when the CDP was at a much earlier stage of preparation. A number of housing developments have been approved in the context set out in that Statement. It is considered that this new Statement can aid business confidence by providing clarity for developers and ensuring that the delay in adoption of the CDP does not prevent appropriate development from being considered positively. It also provides clarity for all that the Interim Report has not created a situation where a development "free-for-all" can occur.

Recommendations and reasons

- 8 That "Assessing Development Proposals in County Durham" be agreed as a Council Policy Position Statement to provide clarity to Members, officers, developers and the public in the light of receipt of the Interim Inspector's Report on the County Durham Plan

Background papers

The Statement is attached as Appendix 2
Submission Draft County Durham Plan
The Inspector's Interim Report

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Appendix 1: Implications

Finance –

None

Staffing –

None – statement will aid business as usual when assessing development proposals

Risk –

The Statement will aid clarity in planning decision so reducing the risk to business and public confidence caused by certain conclusions in the Interim Report

Equality and Diversity / Public Sector Equality Duty –

None

Accommodation –

None

Crime and Disorder –

None

Human Rights –

None

Consultation –

None

Procurement –

None

Disability Issues –

None

Legal Implications –

Following involvement of Legal colleagues, the Statement is intended to aid clarity of decision making but its weight will be limited in appeal situations.