

Cabinet

13 June 2018

County Durham Plan Preferred Options

Key Decision REAL/01/18



Report of Ian Thompson, Corporate Director of Regeneration and Local Services

Councillor Carl Marshall, Cabinet Portfolio Holder for Economic Regeneration

Councillor Kevin Shaw, Cabinet Portfolio Holder for Strategic Housing and Assets

Purpose of the Report

1. For Cabinet to agree the Preferred Options of the County Durham Plan (the Plan) for public consultation.
2. For Cabinet to agree the Spatial Strategy Justification as a key supporting document for the Preferred Options for public consultation.
3. For Cabinet to agree the County Durham Building for Life Supplementary planning Document (SPD) for public consultation.
4. For Cabinet to agree a new Statement of Community Involvement for consultation to enable views to be sought on how stakeholders are involved in local plan and neighbourhood plan preparation and the determination of planning applications.
5. For Cabinet to agree the Durham City Sustainable Transport Delivery Plan for public consultation.
6. For Cabinet to agree the new County Durham Parking and Accessibility Guidelines for public consultation.
7. Cabinet are also asked to endorse and approve for consultation the Sustainability Appraisal, Habitat Regulations Assessment, Equalities Impact Assessment and the Spatial Strategy Justification.
8. The report also presents Durham County Council's response to the consultation on the draft National Planning Policy Framework (NPPF). Comments were submitted in time for the closing date of the consultation on 10 May 2018 by the Corporate Director following consultation with relevant Cabinet Portfolio holders.

Background

9. Following withdrawal of the previous local plan, the first stage of the new plan, the Issues and Options, was published for consultation in June 2016. Members will recall a report to Cabinet in December 2016 that resulted in pausing the preparation of the County Durham Plan which had reached the Issues and Options stage in June/July 2016. The forthcoming publication of a Housing White Paper was expected to have several implications for the preparation of the Plan, including a new national methodology for the calculation of housing requirements. The housing requirement figure, otherwise known as the Objectively Assessed Need (OAN) for housing, is critical to the preparation of a local plan and impacts on a number of policy areas in addition to housing, such as employment, infrastructure and waste. This was followed by a further Government consultation in September 2017, 'Planning for the Right Homes in the Right Places', which included a standard methodology for the calculation of housing need.
10. Following these consultations the Government has incorporated many of these changes into a draft revision of the NPPF. These changes were published in March 2018 for consultation and the council's response is discussed elsewhere in this report.
11. As a result of the emerging clarity in the national policy context, Members agreed a new Local Development Scheme in November 2017 setting out the timescales for preparation of the Plan.

Current County Durham Context

12. Although it is very important to have a local plan in place for the certainty it provides to residents and prospective investors, development does not stand still. The county is currently experiencing some significant investment. Hitachi at Newton Aycliffe is in full production and is continuing to win new orders. Atom Bank, the first digital only bank in the country, have moved into the Rivergreen Centre at Aykley Heads to be followed by Waterstons, a business and IT consultancy, at Northumbria House. At Integra 61 at Bowburn over 170,000sqm of industrial floor space has been granted permission and ResQ, a new call centre in Seaham, has brought 1300 new jobs to the area. Investment by GSK has also secured the future of their Barnard Castle plant with a £90m redevelopment.
13. At Forrest Park in Newton Aycliffe £15m is being spent opening up 54ha of new industrial estate making it part of the biggest industrial estate in the region and development at Freemans Reach in Durham City has retained nearly 1000 jobs at the Passport Agency and NS&I. The development of both the Gates Shopping Centre and the Milburngate redevelopment brings new opportunities to the city with new cinemas, offices, housing and restaurants improving the diversity and range of facilities in the city.
14. In terms of housing the council continues to grant permissions for significant numbers of new homes, 5,625 in the last year, including sites such as

Woodhouses Farm, Bishop Auckland, Whinney Hill, Durham City Hermitage Comprehensive, Chester-le-Street, Eldon Whins, Newton Aycliffe and Dene Community School, Peterlee.

Issues and Options Consultation

15. The Issues and Options consultation concluded on 8th August 2016. A total of 4,929 responses were received from 823 respondents. A summary of the representations made and the council's proposed response is set out within a Statement of Consultation which is attached at Appendix 2. In addition, social media played a large part in the consultation process raising questions and communicating events. In total social media messages sent by the council were viewed 438,633 times.
16. The Issues and Options sought comments on 50 specific questions although comments were welcomed on all aspects of the document. The questions sought views on the location and quantity of new development and specifically on core policies including: promoting a strong economy; the vitality of town centres; and promoting healthy communities. In preparing the Preferred Options the comments made have been considered and content included as appropriate.

Content of the Plan

17. In order to ensure that County Durham is a successful place to live, work, invest and visit the Plan focusses on supporting and creating vibrant communities by delivering:
 - More and better jobs and sustained economic growth;
 - A wide choice of high quality homes that supports economic growth and meets the needs of all people;
 - A high quality built and enhanced natural environment; and
 - The necessary supporting infrastructure including transport, health and educational needs.

Integral Documents and Background Papers

18. The Preferred Options, attached at Appendix 4, has been informed by integral assessments. These include the Sustainability Appraisal, a Non-Technical Summary of which is attached at Appendix 5 and the full version of which is available in the Members Resource Centre. The integral assessments also include the Habitats Regulations Assessment, attached at Appendix 6, Equalities Impact Assessment, attached at Appendix 3 and the Spatial Strategy Justification, attached at Appendix 7. The Preferred Options propose an ambitious Vision and Objectives for the future development of County Durham up to 2035 and are informed by a suite of further evidence. A full list of the supporting evidence base, which forms the background papers to this report is attached at Appendix 8 and a full copy of each document is available in the Member's Resource Centre and on the council's website [here](#).

19. To ensure that health considerations have been embedded into the Preferred Options, health considerations have been included as a key part of the Sustainability Appraisal process. A full Health Impact Assessment will be undertaken with public health colleagues to inform the next stage of County Durham Plan process. This will consider further opportunities to protect the health of our residents through successful plan-making, accounting for housing, open space and sustainable transport.

Employment

20. The County Durham Employment Land Review (ELR) has concluded that the use of past take up rates is the most appropriate method of determining how much employment is needed. Taking this into account together with the location and quality of land available results in 305 hectares of land being allocated. The distribution of this employment land relates to the economic markets that exist in County Durham i.e. A1 Corridor; Durham City; A19 corridor; Consett; Bishop Auckland; and the rest of the county.
21. As a result of the approach to employment land significant areas for business are identified at; Forrest Park, Newton Aycliffe; Hawthorn Enterprise Zone Murton; Hownsgill, Project Genesis, Consett; Meadowfield Industrial Estate; Integra 61 (South of Bowburn) and NETPark, Sedgefield. The Preferred Options also identifies the strategic employment site at Aykley Heads.

Housing

22. The consultation draft National Planning Policy Framework and accompanying draft guidance makes it clear that local authorities should use the government's standard methodology for calculating housing need. Using the government's standard methodology results in 1,368 houses per annum in County Durham. In line with the guidance, this is taken over the Plan period resulting in a local housing need in County Durham of 25,992 to 2035. For context gross housing completions for 2017/18 are 1,356 houses.
23. As part of the Issues and Options consultation, four different spatial options for the distribution of housing were presented for comment. In identifying the chosen option the following principles, which were set out in the Issues and Options and broadly supported by the consultation responses, have been used:
 - Sustainability;
 - Impact on economic growth;
 - Effective use of land; and
 - Viability and Delivery.
24. Using this approach and as set out in detail in the Spatial Strategy Justification, attached at Appendix 7, the Sustainable Communities option has been chosen as the spatial option to be used for identifying housing allocations. It is a dispersed pattern of development across key settlements in the county, principally focused in and around the towns where the greatest

opportunities for employment, services and facilities, public transport and other infrastructure such as healthcare and education exist. The resulting distribution is not precisely the same as that in the Issues and Options but it is broadly similar: Durham City 15% (-2%); Central Durham 12% (no change); North Durham 7% (no change); North West Durham 12% (-1%); Mid Durham 16% (no change); South Durham 16% (+1%); South East Durham 2% (+1%); East Durham 16% (+1%); West Durham 4% (no change), in that it would have the same benefits and advantages that resulted in its selection as the most appropriate option. This will ensure we have a balance of housing across the county taking into account the most sustainable locations, market attractiveness and the prospects for regeneration to meet our need for housing.

As a result of the chosen spatial option and for the exceptional circumstances set out below the Preferred Options do propose some Green Belt land to be deleted at Sniperley Park and Sherburn Road, Durham City. The exceptional circumstances are to:

- Provide the right type of housing to meet the needs and aspirations of existing and future residents and a housing stock which supports the economy of the county and the need for more and better jobs;
- Ensure sustainable patterns of development are achieved by building on Durham City's position as the county's employment centre, regional transport hub and regional centre for services and facilities, such as secondary schools and health facilities. This would provide greater opportunities to achieve locational sustainability and secure social, economic and environmental improvements compared to a more dispersed housing distribution;
- Maximise the number of journeys undertaken by sustainable means such as walking, cycling and public transport and minimising overall journey distances and times. This will help address congestion and associated issues such as air quality and carbon emissions;
- Help address economic under-performance across the county by helping to support the economic potential of Durham City and the delivery of Aykley Heads by capturing business and investment growth, retain graduates and create opportunities to increase and retain retail spending in the city, supporting an improved retail offer including reducing the impact of the fluctuation in population between University terms; and
- Maximise the delivery of affordable housing and other infrastructure which supports the delivery of jobs and housing, as a result of viability and delivery constraints which prevent the delivery of sufficient funding elsewhere in the county.

25. In identifying proposed housing allocations, discussions have been held with infrastructure providers to understand future requirements and this has informed the Preferred Options. Developers will continue to be expected to

contribute towards infrastructure, including new education provision, in line with council policy. The infrastructure requirements of future development identified in the Preferred Options is set out within the Infrastructure Delivery Plan background paper (available in the Member's Resource Centre and on the council's website [here](#)).

Town Centres

26. Nationally, town centres face increasing economic challenges including a change in consumer behaviour and the rise in e-commerce, mobile technology and Internet shopping. Although town centres are now not always the main focus for people's shopping, they are still key drivers to the economy and play an important social role. We need to ensure our centres remain viable going forward by understanding national trends and ensuring that they reflect the needs and opportunities of the communities that they serve.
27. The Retail and Town Centre Study found that there is not sufficient outstanding need to require any retail allocations within the county. In Barnard Castle it did however identify leakage of food spend out of the town to other centres within and outside of the county. The Preferred Options therefore supports proposals for new retail provision across the county that comply with the sequential and retail impact tests, and for food provision within Barnard Castle in particular, in order to support regeneration.

Rural Economy

28. County Durham's rural areas vary widely in character from remote and sparsely populated areas in the Pennine Dales, to the larger villages located within the former coalfield communities in the centre and east.
29. It is important that rural settlements are not unduly constrained and remain sustainable. The Preferred Options allow our rural communities proportionate growth so they are able to thrive and grow while also respecting the character of the countryside. They also include policies which are flexible enough to support housing and employment needs in our rural areas to support the modernisation and diversification of existing practises and encourage the vitality and viability of these communities.

Environment

30. A range of policies are included within the Preferred Options which will positively respond to opportunities to enhance and protect important assets from inappropriate development. Climate change remains a challenge to which we need to respond, ensuring our communities remain resilient to the impacts and is integrated throughout the Preferred Options.

Transport

31. In order to create a more sustainable transport network in Durham City there is a need for a positive strategy that manages the demand for car use by re-

allocating, sharing and creating highway space for sustainable transport. To enable this to happen and to therefore reduce congestion, improve air quality and improve the setting of the World Heritage Site the Preferred Options proposes northern and western relief roads for Durham City. It also allocates a site for a railway station at Horden, safeguards the Leamside Line and a number of cycle routes and a corridor for a possible Bowburn relief road. A corridor of interest is also identified in Barnard Castle.

Minerals

32. Minerals are a fundamental natural resource. They are of vital importance to modern economies and are essential to sustainable economic growth and quality of life. A call for sites that was undertaken as part of the Issues and Options. Two sites are proposed in the Preferred Options which will enable a steady and adequate supply of crushed rock aggregate, sand and gravel aggregate and brick making raw materials to be worked to 2035. More detailed policies and non-strategic site allocation will be included in the separate Minerals and Waste Policies and Allocations Document.

County Durham Building for Life Supplementary Planning Document

33. The council currently operates an in-house review process to assess residential schemes against the national Building for Life 12 (BfL12) Standards. BfL12 focusses on design and promoting a good quality environment, which lends support to our aims to improve economic prosperity and enhance the environment. The County Durham Building for Life Supplementary Planning Document (SPD) at Appendix 9, adopts the national Standards and formalises the review process. The SPD will support the County Durham Plan when it is adopted and in particular the Sustainable Design Policy. The draft SPD, if approved by Members, will be available for consultation from 22 June to 3 August 2018. Following any necessary changes the SPD will be consulted on again later in the year before adoption.

Statement of Community Involvement

34. The current version of the Statement of Community Involvement (SCI), which sets out how stakeholders will be involved in local plan and neighbourhood plan preparation and the determination of planning applications, was adopted in 2016. It has now been updated principally to reflect the requirements of the 2017 Neighbourhood Planning Act (the sections relating to local plan consultation are not changing). The draft updated SCI at Appendix 10, if approved by Members, will be available for consultation from 22 June to 3 August 2018.

Durham City Sustainable Transport Delivery Plan

The Durham City Sustainable Transport Delivery Plan, attached at Appendix 13, provides a framework within which the sustainable transport provision for Durham City will be delivered. The Delivery Plan has been developed by Systra (formerly JMP consulting) who have worked with the council and

stakeholders in developing recommendations for sustainable transport in Durham City. The Delivery Plan has been informed by consultation in 2016 and has been updated to reflect the outcomes of the consultation comments, attached at Appendix 14.

County Durham Parking and Accessibility Guidelines

35. The Parking and Accessibility Standards 2018, attached at Appendix 11, update the 2014 standards and set out parking requirements for developers at new residential and non-residential developments. The standards ensure that an adequate amount of parking space is provided in residential areas to minimise the problems associated with people parking on roads and verges which make it difficult for the accessibility of emergency services, block pushchair and wheelchair users as well cause physical damage to the verges themselves. The Parking Standards include a requirement to provide an additional parking space within the curtilage if a residential unit is extended from 3 bedrooms to 4 bedrooms where planning permission is required. A higher provision of Electric Vehicle Charging Points will also be required at places of employment, supermarkets and other retail development.

Response to Draft National Planning Policy Framework (NPPF)

36. The draft revised National Planning Policy Framework (NPPF) was published in March and incorporates policy proposals previously consulted on in the Housing White Paper and the Planning for the Right Homes in the Right Places consultation. Some of the main changes include:
- A new standard method for the calculation of local housing need, with details in the draft Planning Practice Guidance changes;
 - The presumption in favour of sustainable development in relation to housing will apply if a local authority cannot show a 5 year housing land supply or if there is substantial under-delivery measured against the Housing Delivery Test;
 - At least 10% of homes on major sites should be available for affordable home ownership;
 - At least 20% of the sites allocated for housing should be of half a hectare or less;
 - A local plan must be 'an' appropriate strategy, rather than the 'most' appropriate strategy;
 - Plan reviews required every five years;
 - Viability assessments should reflect the Government's standardised approach in the draft revised PPG and should be undertaken at the plan making stage;
 - Making more intensive use of existing land and buildings;
 - Higher densities in relevant areas, including minimum density standards in centres and around transport hubs, such as building upwards;
 - Reallocating land where there is no reasonable prospect of an application coming forward for the allocated use; and

- Use of brownfield and other vacant and underused land and increasing densities must be considered before changes to Green Belt boundaries.
37. The council's response to the consultation is attached for Members' information at Appendix 12. Comments were submitted in time for the closing date of the consultation on 10 May 2018 by the Corporate Director following consultation with relevant Cabinet Portfolio holders. Although many of the principles in the draft NPPF are to be welcomed there are areas of the document where further clarity is required to ensure they will work as envisaged. The government has indicated that following consultation the resultant changes will be made and the final version published this summer.

Next Steps

38. The consultation on the Preferred Options is proposed to run from 22 June to 3 August 2018. A Communications and Marketing campaign will run throughout the consultation period with a range of communication channels utilised, including a digital animation. Officers will attend each of the fourteen Area Action Partnerships and will host approximately 50 consultation events across the county. In addition, there will be engagement activities with school children across 11 schools.
39. Following the consultation period the representations received together with any updated evidence will be used to inform the Pre-Submission Draft Plan which will be the final stage of consultation prior to Examination-in-Public. In accordance with the Local Development Scheme the Pre-Submission Draft will be published in winter 2018/19 for consultation before being considered by Full Council and submitted for Examination-in-Public spring/summer 2019.

Recommendations

40. Cabinet is recommended to :
- i. Resolve to agree the County Durham Plan Preferred Options for consultation from 22 June to 3 August 2018;
 - ii. Resolve to agree that any minor modifications to the above documents following Cabinet agreement and before consultation begins can be agreed by the Corporate Director of Regeneration and Local Services in consultation with the Portfolio Holder for Regeneration and Economic Development;
 - iii. Resolve to agree for consultation the Sustainability Appraisal, Habitat Regulations Assessment, Equalities Impact Assessment and the Spatial Strategy Justification;
 - iv. Resolve to agree the County Durham Building for Life Supplementary Planning Document for consultation from 22 June to 3 August 2018;

- v. Resolve to agree the revised Statement of Community Involvement for consultation from 22 June to 3 August 2018. Also resolve that any minor modifications to the document following consultation and approval of the final document are delegated to the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development;
- vi. Resolve to agree the Durham City Sustainable Transport Delivery Plan for consultation from 22 June to 3 August 2018. Also resolve that any minor modifications to the document following consultation and approval of the final document are delegated to the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development;
- vii. Resolve to agree the County Durham Parking and Accessibility Guidelines for consultation from 22 June to 3 August 2018. Also resolve that any minor modifications to the document following consultation and approval of the final document are delegated to the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development; and
- viii. To note the council's response to the Draft National Planning Policy Framework (NPPF) at Appendix 12.

Background Papers

Local Development Scheme
County Durham Plan Preferred Options
Evidence Documents listed in Appendix 8 to this report

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Appendix 1: Implications

Finance –

The local plan has a continuing budget commitment for appropriate evidence gathering, consultation, printing and EIP costs.

Staffing –

Resource required to progress the local plan.

Risk –

Not having an adopted local plan makes it more difficult to resist inappropriate development and also to provide the necessary certainty to facilitate appropriate development to support the local economy. Failure to make progress risks Government intervention.

Equality and Diversity / Public Sector Equality Duty –

A new Statement of Community Involvement is attached to the report which describes how stakeholders will be involved in local plan and neighbourhood plan preparation and the determination of planning applications. An Equality Impact Assessment has been prepared in partnership with the community engagement team and is attached at Appendix 3. The local plan will continue to be subject to Equality Impact Assessment as it progresses.

Accommodation –

None.

Crime and Disorder –

None.

Human Rights –

Protocol 1 Article 1: Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including their property. The Local Plan will allocate land for development over the plan period and will affect landowners' rights to develop their land: however, such control is necessary and proportionate in the public interest.

Consultation –

The programme of consultation has been agreed with the Council's Corporate Communications Team and agreed by the Council's Consultation Officers Group and will be undertaken in accordance with the new Statement of Community Involvement and the 2012 Local Plan Regulations.

Procurement –

When required consultants are commissioned to deliver evidence studies in accordance with the council's procurement rules/procedures.

Disability Issues –

The local plan will seek to address relevant issues, e.g. DDA.

Legal Implications –

Local plans must be positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). The NPPF gives guidance to local authorities in drawing up their local plans.