

THE CITY OF DURHAM TRUST

Response to the County Durham Plan Pre-Submission Draft

COUNTY DURHAM PLAN PRE-SUBMISSION DRAFT - Consultation October 2013

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Consultee ID:

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Please use a separate form for each representation.

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Preferred method of contact (please tick): Email <input checked="" type="checkbox"/> Letter
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To which part of the County Durham Plan does your representation relate? Policy 14 – Green Belt

Q1

Do you consider that this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant and Sound?

Legally and Procedurally Compliant No (Go to Q3)

Sound No (Go to Q3)

Q2 – not relevant.

Q3

Why do you consider that this Policy/Proposal of the Pre-Submission Draft Local Plan is not Legally & Procedurally Compliant or sound? Is it:

Positively Prepared? No

Justified? No

Effective? No

Consistent? No

Q4

If you do not consider this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant or Sound please use this box to explain why.

1. The Trust objects to Policy 14, to the redrawn boundaries of the Durham Green Belt shown on the Proposals Map and to the reasons given for the amendments. (The content of this policy would have been acceptable in relation to the existing Green Belt.) The County's case is based on an aspirational target of growth, without an objective assessment of alternatives, and is heavily concentrated on Durham City, again without assessment of alternatives. (See the Trust's responses to overarching Policies 2,3 and 4, and to the specific Policies 6 – 10.) The Trust's conclusion in these responses is that the Plan has **not been positively prepared**.
2. **Consistent with national policy:** Alteration of Green Belt boundaries requires "exceptional circumstances", since they "should be capable of enduring beyond the plan period" (NPPF, para 83). The present, modest Green Belt was only established ten years ago, being conceded by the (previous) County Council at the third time of asking: its first proposal did not constitute a 'belt' at all. It is acknowledged in the Pre-Submission Draft to have a tightly-drawn boundary (4.104), a fact noted by the government-appointed inspector at the 2002 Local Plan Inquiry (para 7). (In fact it is the smallest Green Belt of any historic City.) Therefore, on account of its brief time since its designation, and by taking changed "economic circumstances" to be the exceptional element which makes the original Green Belt designation no longer appropriate (4.197), the Pre-Submission proposal is **not consistent with national policy, and hence with the County's own policy**.
3. Moreover, there is evidence that the County itself was initially aware of the implications of its actions. Thus, its early Council Policy Statement of May 2012 *Assessing Development Proposals in a changing National Planning System*¹, which reviewed the recently-issued NPPF, was of the opinion that it was considered "highly unlikely [the County's] proposals that involve the development of Green Belt will be viewed favourably in the light of this paper".
4. **Justified:** The perceived need for boundary change stems not from within Durham City 'bursting at the seams'. On the contrary, it originates from without from a "fresh perspective" (4.197) brought by the new unitary Authority, which sees the City as an asset for the whole County but an asset "need[ing] a critical mass of employment, population and visitors....to become a city of regional, national and international significance" (4.201, also 4.204). Critical mass of this aspiration is never quantified or alternatives objectively considered. (Neither are the current national and international significant elements of the City acknowledged.) The Pre-Submission Draft is also wrong to support its case by suggesting a catch-up time' for the City: "development and growth in Durham City has been limited over the past twenty years as regeneration of industrial towns and villages around the city has taken priority" (4.88, also 4.14). The extent of recent development in the City is detailed in our comments on Policy 6, at paragraph 3. In fact, the District Local Plan, in conjunction with the County Structure Plan, sought a balance between the City and surrounding settlements. **The proposal is therefore not justified.**

1 See <http://democracy.durham.gov.uk/documents/s19941/TheNationalPlanningAppendix.pdf> 3. p.136, para 3.18

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5. **Positively prepared:** The methodology chosen to select deletions from the Green Belt in order to establish sustainable settlements is flawed. A search confined within a 5km radius is highly likely to light upon Green Belt land. This fact was anticipated by the 2002 Local Plan inspector. Acknowledging the small size of the Green Belt, and recognising the need for sustainability, he concluded that development outside the comparatively narrow Green Belt could “be located so as to minimise travel distances for work and leisure by being at existing or proposed transport nodes and close to existing facilities in the existing larger settlements with better facilities beyond the GB” (para 7). The statement is confirmed by the time-space realities shown on the maps included in the paper *Durham City Strategic Sites Selection Process*² which is appended to our submission on Policy 8. They show that the outer edge of the Durham Green Belt can be reached in any direction in some 10-15 minutes by public transport. By private car the same time will bring a much broader area within reach of the City centre, e.g. as far as Chester-le-Street to the north and Spennymoor to the south. If the destination is Aykley Heads, rather than the City centre, then settlements to the west are even closer in time to this proposed focus of employment. Sacriston and Witton Gilbert, for instance, are within a 10 minute drive, as are parts of Bearpark, Ushaw Moor and Langley Park. The viable area for a realistic search is thus far in excess of that chosen by the County Council. The Plan has therefore **not been positively prepared**, and the results **cannot be classed as justified**.
6. **Consistent:** Aykley Heads, the Strategic Employment Site, also proposes a deletion of 7.5 hectares of Green Belt, the amount of job creation being considered “sufficient justification” (4.104) This is not consistent with national policy which requires “exceptional circumstances.” The proposal is not made any more acceptable by the promise of converting the current extensive “informal parkland” into “high quality parkland” (4.102). The Trust’s response to Policy 7 also questions its deliverability.

Q5

What change(s) do you consider necessary to make this policy/proposal of the Pre-Submission Draft Plan Legally & Procedurally Compliant and Sound?

The Policy springs from the lack of a justified realistic Regeneration Statement that puts too much emphasis on Durham City at the expense of other parts of the county. The Regeneration Statement needs to be revisited. From that should flow an achievable Plan which may require a search exercise over a more realistic, wider area in which to distribute a recalculated amount of development.

Q6

Do you wish to participate in the Examination in Public? (Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the Examination).

Yes

Q7

Do you want to be informed of the following:

The submission of the Local Plan to the Secretary of State? Yes

The publication the Inspector report? Yes

The adoption of the County Durham Plan? Yes

2 Site_Selection_Process.pdf