

# COUNTY DURHAM PLAN PRE-SUBMISSION DRAFT - Consultation January 2019

## For Office Use Only

Consultee ID:  
Received:  
Acknowledged:  
Processed:

Please use a separate form for each representation.

<p><b>NAME &amp; ADDRESS (Block Capitals)</b> THE CITY OF DURHAM TRUST c/o BHP LAW, AIRE HOUSE, MANDALE BUSINESS PARK, BELMONT, DURHAM DH1 1TH</p> <p>Email Address trust@DurhamCity.org</p>	<p><b>NAME &amp; ADDRESS (AGENT)(IF APPLICABLE)</b></p> <p>Email Address</p>
--	--

**Preferred method of contact (please tick):**    Email     Letter

To which part of the County Durham Plan does your representation relate?

Site Name     Paragraph     Policy no     Policies Map

**Q1 - Do you consider that this policy/proposal of the Pre-Submission Draft Local Plan is to be Legally and Procedurally Compliant and Sound?**

(Please note the considerations in relation to the Local Plan being 'Legally and Procedurally Compliant'  
(Please see guidance notes).  
(Please select one answer for each question)

	Yes (Go to Q2)	No (Go to Q3)
Legally and Procedurally Compliant	<input type="radio"/>	<input checked="" type="radio"/>
Sound	<input type="radio"/>	<input checked="" type="radio"/>

**Q2 - If you consider that this policy/proposal of the Pre-Submission Draft Local Plan is Legally and Procedurally Compliant and Sound please use this box to explain why?**

Please note your representation should cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there is no opportunity to submit further representations unless requested to do so by the Inspector, based on the matters he/she identifies for examination.

(This box can be expanded)  
(Go to Q6)

**Q3 - Why do you consider that this Policy/Proposal of the Pre-Submission Draft Local Plan is not Legally and Procedurally Compliant or Sound? (Please select all that apply)**

- |                                 |                                     |
|---------------------------------|-------------------------------------|
| Positively Prepared             | <input checked="" type="checkbox"/> |
| Justified                       | <input checked="" type="checkbox"/> |
| Effective                       | <input type="checkbox"/>            |
| Consistent with national policy | <input checked="" type="checkbox"/> |

**Q4 - If you do not consider this policy/proposal of the Pre-Submission Draft Local Plan to be Legally and Procedurally Compliant or Sound please use this box to explain why.**

Please note your representation should cover all the information, evidence and supporting information necessary to support/justify the representation as there is no opportunity to submit further representations unless requested to do so by the Inspector, based on the matters he/she identifies for examination.

Footnote 2 referencing the County Durham Sustainable Communities Strategy links to a web page <http://www.countydurhampartnership.co.uk/Pages/CDP-SustainableCommunityStrategy.aspx> that does not exist (see attachment Error 404 - Page not found - County Durham Partnership.pdf). This was pointed out in the Trust's response to the *Preferred Options* consultation.

Nor is there a document in the Evidence Library that corresponds to the missing SCS. Consequently this paragraph and all that depends on it is **not justified**.

Our comments at the *Preferred Options* stage were:

Paragraph 3.1 references the *County Durham Sustainable Community Strategy* and footnote 2 should link to it, but the link is broken. The Sustainable Community Strategy page on the County Durham Partnership website (<http://www.countydurhampartnership.co.uk/article/8453/Sustainable-Community-Strategy>) links to the *Sustainable Community Strategy 2014 – 2030* and this appears to be the document referenced in *Issues and Options*. This is dated November 2014 and predates the Brexit referendum (23 June 2016) which changed the economic climate. We made these points in our submission on *Issues and Options*.

We have been unable to locate a more recent version of the SCS, and the 2014 document has limited value given the major changes that have taken place since then. We broadly support the Spatial Vision but feel it needs a sound justification.

The Council's response as recorded in the *Preferred Options Statement of Consultation* was "Support noted. The council is looking to update the Sustainable Community Strategy in the near future." A consultation on the emerging findings of *Durham 2030 - our vision for the future* was conducted between 22 November 2018 and 18 January 2019. The explicatory web page at <http://www.durham.gov.uk/vision> says

We are reviewing the vision for the County because the current vision is over nine years old and many of the original aims have been achieved.

The consultation is at an early stage and this is the first stage of a two part consultation exercise. Between November and January we want your views on proposed high level aims. We will then consult you again on the draft vision having taken on board your views on the emerging findings.

The proposed ambitions are our initial thoughts on the key themes we feel reflect the particular needs and opportunities of County Durham. They are based on an initial assessment of public views from a range of previous consultations as well as data on how we are performing as a county and national policy changes.

We do hope that you will take part as this is an important exercise which will influence how public services work with local people and businesses to provide services and develop the County over the next decade.

Paragraph 3.1 concludes “The spatial vision for the Plan needs to reflect the SCS and the key challenges and issues facing the county.” However the SCS is not included in the evidence base, and the document that is being implied is more than nine years out of date, precedes Brexit, and the Council is in the middle of updating it. We conclude that the Spatial Vision for County Durham has **not been positively prepared**.

Paragraph 31 of the NPPF says that “The preparation and review of all policies should be underpinned by relevant and up-to-date evidence.” For the reasons set out above, this is not the case here, and so this paragraph and the Spatial Vision do not follow the NPPF requirements for plan-making and so are **not legally and procedurally compliant**.

**Q5 - What change(s) do you consider necessary to make this policy/proposal of the Pre-Submission Draft Plan Legally and Procedurally Compliant and Sound?**

With the SCS still being in the early stages of preparation, the County Durham Plan should not have proceeded to this consultation on the pre-submission draft.

The web page at <http://www.durham.gov.uk/vision> referred to above concludes by saying “Your feedback will be used to develop a draft Durham 2030 Vision document, which will be subject to a further consultation between February and March.” That process should continue, and the Durham 2030 Vision completed. (Note that in its evidence re the Vision the Trust urged that the timeframe of the Vision should be extended to 2035 to match that of the County Durham Plan.)

When that process is completed the Spatial Vision and all of the policies that flow from it should be reviewed in the light of the updated SCS and themselves updated where necessary. The updated plan should then be consulted upon.

**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  No

**Q7 - Do you want to be informed of the following:**

- |   |     |                                     |    |                          |
|---|-----|-------------------------------------|----|--------------------------|
| • Submission of the Local Plan to the Secretary of State? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • The publication of the Inspector’s report*?             | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • Consultation on any Main Modifications?                 | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| • The adoption of the County Durham Plan?                 | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |

(\*Note an independent Government appointed Planning Inspector will examine the County Durham Plan and produce an Inspector’s report).

Please send the completed question response forms to:

**FREEPOST SPATIAL POLICY**

Responses can also be sent by email to:

[CDPconsultation@durham.gov.uk](mailto:CDPconsultation@durham.gov.uk)

However, we would prefer if you made your responses online, via our interactive website:

<http://durhamcc-consult.limehouse.co.uk/portal/planning/>

In order to make responses online, you may need to register. This is quick and easy to do.

Find out how and why we collect information about you, what we collect and who we share it with. More information can be found at:

<http://www.durham.gov.uk/dataprivacy>

**CLOSING DATE FOR RESPONSES – 4:30PM 8 MARCH 2019**