

Comment Receipt

Event Name	County Durham Plan Pre-Submission Draft
Comment by	The City of Durham Trust (Mr John Lowe - 440609)
Comment ID	492
Response Date	05/03/19 11:38
Consultation Point	Policy 5 Durham City's Sustainable Urban Extensions (View)
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Q1

Do you consider that this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & 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)

Legally and Procedurally Compliant Yes (Go to Q2)

Sound No (Go to Q3)

Q3

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

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

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. 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.

The City of Durham Trust does not agree that this is a strategic policy. NPPF (para 21) states that a strategic policy should not extend to detailed matters. Therefore the allocations at Sniperley Park and Sherburn Road given in Policy 4 would be deemed strategic, but the detail about what should be

included at the sites given in Policy 5 should be either a non-strategic policy within the Local Plan or a policy within the Neighbourhood Plan (as per NPPF para 21).

The policy states that Sniperley Park and Sherburn Road will be removed from the Green Belt. For clarity this aspect should have been covered by a restructured Policy 21 with all the proposed Green Belt removals listed there. Because of the confusion over the nature of this policy and its relationship to other policies it is **not Legally Compliant nor Sound**.

The City of Durham Trust has set out in its comments on *Distribution of Housing* and Policy 4 that the housing need calculations presented within the Plan fail to declare a numerical Local Housing Need figure for Durham City; there is simply the assertion that 6% of 24,852 is not sufficient and a chosen strategic allocation of 14%. This cannot provide a case for 'Exceptional Circumstances' nor of soundness. The Exceptional Circumstances Evidence Paper relies upon the claims that (a) County Durham is a single housing market when clearly the Plan itself embraces the fact that the Durham City housing market is different to other parts of County Durham; (b) that the best supply of jobs is in Durham City whereas the Plan proclaims the great success of Newton Aycliffe and Netpark for example and ignores the far greater ranges and scales of job opportunities that are to be found in towns and villages near the borders of Newcastle, Gateshead, Sunderland and Teesside. It follows that Durham City should be allocated a 'fair share' of housing development but not so much as to claim a need to invade the Green Belt.

There is a basic deception in giving the name "Sustainable Communities" to the chosen spatial strategy for the distribution of housing, in that whilst the text of Paragraph 4.74 talks of a "*dispersed pattern of development located across key settlements in the County*", the percentage allocated to Central Durham including Durham, City is 26%. None of the other seven monitoring areas have their key town(s) separated out in the way that Durham City is represented as being somewhere else than in Central Durham. If they were distinguished in their own right, so as to show how the "*dispersed pattern of development located across key settlements in the County*" works out in practice, this would show the disparity between the percentage allocated to Durham City as opposed to Consett, Stanley, Chester-le-Street, Seaham, Peterlee, Crook, Spennymoor, Sedgefield, Bishop Auckland, Newton Aycliffe and Barnard Castle. It is unfortunate that this analysis is not made available in any of the Evidence Papers. In fact, the proposed "Sustainable Urban Extensions" at Durham City result in a total proposed allocation of 2,260 new houses there. The total allocation for new houses in County Durham is 5,390 (as against a residual need of 5,323). Thus over 42% of the entire County housing development allocation is at Durham City. This is a severely unbalanced strategy and misleads the County Council into proposing major deletions of the Green Belt and unnecessary Relief Roads, so **not positively prepared, nor justified, nor effective, nor consistent with National policy**.

The Trust is aware that the Government in October 2018 issued a 'Technical consultation on updates to national planning policy and guidance' (closed 7 December 2018) which says at the end of Paragraph 15: "**Local authorities may also not be able to meet their identified housing need in full, for example because of land constraints (such as Green Belt) in their area and it may be that need is better met elsewhere.**" The Inspectorate and the Courts have established that a shortfall in meeting Objectively Assessed Need is not a justification for development in the Green Belt. Thus in this regard too Policy 5 is **not consistent with National policy**.

Furthermore, the rationale for allocating so much housing to Durham City rests upon 'sustainability' and viability'. On sustainability, as already stated, the towns and villages near the border with Gateshead/Newcastle, Sunderland and Teesside have a vastly greater number and range of accessible job opportunities open to them than in Durham City. Viability means that Durham City is the area where House Builders can make the highest profit by selling their houses for the highest prices. The Spatial Vision is for "*an accessible, well designed range and choice of good quality housing, including affordable housing*". While there will be 25% affordable housing, this is at 80% of market prices. According to the website Rightmove, average house prices in Bowburn were 64% of those in Durham City (£114,966 v £181,776), so people looking for houses within their budget are more likely to be able to find them

in the villages surrounding Durham City than in Durham City itself. "Affordable" is a technical term and should not be confused with houses that people can actually afford

Q5

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

Delete Policy 5.

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

Consultation on any Main Modifications? Yes

The adoption of the County Durham Plan? Yes