

## Comment Receipt

<b>Event Name</b>	County Durham Plan Pre-Submission Draft
<b>Comment by</b>	The City of Durham Trust (Mr John Lowe - 440609)
<b>Comment ID</b>	693
<b>Response Date</b>	06/03/19 15:27
<b>Consultation Point</b>	Policy 20 Green Belt ( <a href="#">View</a> )
<b>Status</b>	Submitted
<b>Submission Type</b>	Web
<b>Version</b>	0.1

### 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)

### Q2

#### **If consider that this policy/proposal of the Pre-Submission Draft Local Plan is Legally & 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.

(Go to Q6)

The City of Durham Trust supports this policy; the Durham Green Belt fulfils all five purposes set out in NPPF 2019 paragraph 134 and has proved to be a very effective mechanism in denying developers the easiest and cheapest sites in the Green Belt around the City and instead having to tackle the more difficult and costlier 'brownfield' sites within the City and also driving new housing development into surrounding villages and thereby bringing regeneration benefits.

However, the Trust is concerned that the County Council has, since its creation as a Unitary Authority in 2009, considered nine applications for major development in the Durham Green Belt and has approved seven of them, mainly on the grounds that the applicant needed the resulting funds. The Trust does not agree that such grounds constitute "Very Special Circumstances" as allowed for in NPPF paragraphs 143 and 144.

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)

Effective

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 Trust is concerned that the County Council has, since its creation as a Unitary Authority in 2009, considered nine applications for major development in the Durham Green Belt and has approved seven of them, mainly on the grounds that the applicant needed the resulting funds. The Trust does not agree that such grounds constitute "Very Special Circumstances" as allowed for in NPPF paragraphs 143 and 144.

The Durham Green Belt is one of only 14 in the whole country and is the youngest and by far the smallest and in places narrowest of any historic city. It is therefore extremely vulnerable to any incursions and proposed reductions. Expansions outwards would not be some kind of 'compensation' for the proposed reductions as this would do nothing for one of its five key purposes, namely "to preserve the setting and special character of historic towns" (NPPF paragraph 134). Accordingly, Policy 20 as currently applied by Durham County Council is **not effective**.

Q5

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

In order to make Policy 20 effective in the manner that Durham County Council currently interprets National Policy, the term "very special circumstances" needs to be followed by text that confirms that these do not include the financial benefit to the applicant or scheme.

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