

## 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>	713
<b>Response Date</b>	06/03/19 16:29
<b>Consultation Point</b>	Policy 24 Allocating and Safeguarding Transport Routes and Facilities ( <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** No (Go to Q3)

**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 Trust has no comments on the specific allocations and safeguarding listed against (b) or (d) of the policy, nor on the proposed safeguarding of a Barnard Castle relief road.

For the reasons set out in its response to Policy 22, the Trust considers that the cycling routes proposed for safeguarding in the withdrawn County Plan of 2014 should be safeguarded by this Plan pending the completion of Local Cycling and Walking Infrastructure Plans (LCWIPs) for the twelve main towns as promised in the County Durham Strategic Cycling and Walking Delivery Plan 2019-2029.

Regarding 24(a) the Trust notes that in the committee report for planning application DM/14/03806/OUT (upon which the Trust made representation) the Highway Authority stated that the construction of the Sherburn Retail Link Road would offer the opportunity to significantly enhance cycling provision in the area by affording a better route for National Cycle Network route 14. The Trust suggests that this enhanced route is also allocated within Policy 24.

On 24(c), Leamside Line and associated infrastructure, for the reasons set out in its response to Policy 22, the Trust considers that this safeguarding should explicitly be extended to include the route of the disused branch from Leamside to the East Coast main line within the definition of the associated infrastructure of the Leamside Line, with the proviso that no unacceptable damage is entailed by the route of the line through what is now the Brasside SSSI, and that changes to the final 300 metres of the route are made to avoid damage to Low Newton Nature Reserve, such as moving the line very slightly, to the edge of the Reserve.

A new station adjacent to the huge Newton Hall housing estate would induce very significant modal shift in an area currently dominated by private car use. The Trust accordingly urges the Council to reconsider its dismissal of this possibility, as recorded in its response to the Trust's feedback on the former Policy 23, now 22: "The old Newton Hall branch line is not supported by the Council for safeguarding as this would require a new rail crossing of the A1 (M) plus a new rail crossing of the River Wear and is unlikely to ever be delivered as a new rail route in and out of the city". Such reconsideration would render this policy far more **effective** than at present. The Belmont viaduct on that disused branch line is currently being considered as a river crossing for an unsustainable Northern Relief road, while adapting a narrow railway viaduct to take a two-lane A road would be a much more onerous engineering challenge than reopening the old line. A new rail crossing of the A1 (M) does not seem an insuperable issue given the huge public benefits of such a rail link. In terms of political backing for delivery, there is a renewed interest from central government in delivering light rail solutions or hybrid heavy/light rail infrastructure, as evidenced by the DfT's recent consultation on the topic. In sum, this omission seems not **justified**, rendering the plan not **positively prepared**, especially in light of the fact that the Trust already considers the policy for a Northern Relief Road unjustified and unsound (see response to Policy 23).

Finally, Policy 24 remains **not legally or procedurally compliant** in relation to the conduct of consultations. Consultation responses to Policies 21-25 (formerly Policies 22-26 in the Preferred Options draft of the CDP), were absent from the version of "Preferred Options Statement of Consultation" document considered by the DCC cabinet prior to its meeting on 16th January which approved this Pre-submission draft. (See Minutes of that meeting Item 4, Appendix 10, <https://democracy.durham.gov.uk/ieListDocuments.aspx?CId=154&MIId=10662&Ver=4> ).

#### 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 branch line of the Leamside leading to Newton Hall should also be safeguarded.

The route for National Cycle Network route 14 can be improved as part of the Sherburn Retail Link Road.

#### Q6

**Do you wish to participate in the Examination in Public? (Please note that the Planning Inspector** Yes

**will make the final decision on who will be invited to attend individual sessions at the Examination).**

**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**