

**Durham City Neighbourhood Planning Forum  
Working Group Meeting, 6 December 2016, Wharton Park**

**Present:** John Ashby, Pippa Bell, Sue Childs, Roger Cornwell (Chair), Harvey Dowdy, Ann Evans, David Hook, Peter Jackson, John Lowe, David Miller, Matthew Phillips, Angela Tracy.

**Apologies:** Adam Deathe, Nigel Martin, Kirsty Thomas, Ros Ward.

**In attendance:** Carole Dillon, Durham County Council

Roger welcomed Carole as the new representative from DCC and Harvey Dowdy as a new member of the Forum and Working Group.

**1. Notes of Working Group Meeting 25 October 2016**

Peter questioned the statement in item 3 that “Matthew and David M will work together to revise the text”, i.e. of the Transport policies. His view is that the policies had been agreed by the full Forum meeting on 20 October and should not have been revised. However, the preceding section of the notes explains that the Working Group was tasked with revising the policies in the light of the discussion at the full Forum meeting on 20 October; this applied to points made about all policies, not just Transport. Matthew and David were tasked with dealing with the necessary changes to the Transport policies in the light of the Forum discussion.

The notes were agreed and **Sue** will post them on the website.

**2. Final Scrutiny of Draft Policies**

Sue introduced this item which was in fact an opportunity for her to raise issues about sections of the full document that she had been preparing for the website. It was not intended to be an opportunity for further scrutiny of the policies themselves and John L apologised for the misleading title. Sue explained that the full plan document as it now appeared on the website was still work in progress and was only available to members of this working group who were encouraged to submit comments directly to her. The full document, including the policies, will be subject to further scrutiny during the public consultation (see item 3).

We discussed the following issues:

**2.5 How we have arrived from the survey results to the plan policies:**

It was agreed that **John A** would write this section.

**3.2 Objectives:**

It was decided that this section was unnecessary as the objectives were stated in each theme. It was emphasised that it is important to check that objectives are matched by policies and vice-versa.

**Chapter 4: Strategy and Plans:**

It was suggested that this chapter might not be necessary, although the key diagram might be helpful.

## **Chapter 5: Planning Policies, Proposals for Land Use and Actions for Statutory, Community and Other Bodies:**

It was agreed that this fuller title should be used.

## **Chapter 6: Implementation and Monitoring:**

It was agreed that **John A** and **David M** would write this chapter.

Carole advised that indicators and targets are needed wherever possible and appropriate. She acknowledged the difficulty of gathering data in some cases but confirmed that the County Council would be willing to share data as appropriate.

The key question is “Who will do the monitoring?” as the Forum is a temporary body. Residents and interest groups would have a role to play but the best solution would probably be a Town Council. **John L** was asked to write to the County Council to take this point into consideration in the current Governance Review.

**National Building Standards:** Recent changes mean that some building standards no longer apply across the board but have to be decided locally as a strategic issue. We need to clarify what is actually changing here and consider the implications for policies about Sustainability and Housing. There are also new issues about viable targets for affordable and older people's housing. **Sue** and **John A** will liaise with **Carole** and Debbie Shanks (DCC) to clarify these matters.

**SHLAA:** The latest SHLAA is needed to finalise the list of residential sites. **Carole** will provide this as soon as possible, though the pause in the County Plan process might delay its publication.

## **Appendix A: List of non-designated heritage assets and of buildings at risk (both designated and non-designated):**

Sue explained that she was still working on this list. It is derived from the Council's *Conservation Area Appraisal*. John A noted the importance using grid references to identify sites. Harvey noted the University's interest in some of the sites.

## **Appendix B: Housing:**

**John A** would write this.

## **Statement of Consultation and Community Engagement:**

**Ros** is drafting this. **All** were asked to send to Ros and Sue information about their own consultations / community engagements, including attempts that were not fruitful.

**Transport Theme:** Peter asked that his objections to aspects of the Transport theme should be recorded, particularly the content of maps E1 and E2. These had not been included in the document summarising the policies that had been presented to the Forum. They were among the further material that Sue had now added to the full documentation and on which she was now seeking comments from **all members of the working group** before it was made public. We need to make it

clear that DCC Highways Authority is responsible for policies concerning roads.

SUE WAS WARMLY CONGRATULATED FOR HER AMAZING WORK PREPARING THIS DOCUMENT.

### **Public list of policies and maps:**

**Roger** will check copyright issues concerning the maps with Carole and include a statement about copyright in the document. **Sue** will put the document on the website once the copyright issues have been resolved

### **3. Arrangements for Public Consultation**

Carole explained that the County Plan had been paused because of the unknown implications of the forthcoming White Paper concerning housing and local planning. This has led to a delay in the Council's consultation on the *Preferred Options* stage of the plan. The May elections will also affect the timing of this consultation.

Pippa presented a timetable for our consultation and the key thing is that we have to complete the process by the end of March to be able to claim our funding. Carole also noted the need to allow time for Council officers to carry out a "health check" on the plan before we started the consultation. She thought the earliest that this could be completed would be mid-January. Harvey noted that the University *Masterplan* would also be ready by mid-January.

It was thus **agreed that the statutory six-week period of consultation on the Neighbourhood Plan would be from Friday 17 February to Friday 31 March 2017.**

### **4. Report from County Meeting on Neighbourhood Planning**

Pippa and Sue had attended this meeting at Great Aycliffe. Pippa had prepared a report and it is attached with these notes. The main points covered were:

- Independent examination of the neighbourhood plan
- Neighbourhood plans and housing for an ageing population
- Viability and deliverability of bungalows

### **5. Planning Applications**

Two planning applications in which the NPF has an interest would be heard by the committee on Tuesday 13 December:

- **PBSA at Framwell House behind Diamond Terrace:** it was agreed that **John L**, as chair of the Sidegate Residents' Association, would speak to this one.
- **PBSA at Holly Street/Nelson's Yard:** it was agreed that **Roger**, as chair of the NPF, CCP and CoDT, would speak to this one. Harvey explained that the University had not felt able to make a substantial objection to this application. John A noted that the officer's report does not address the key issue of "need" and objected to the officer's contention that problems of student behaviour are often exaggerated. It is the only site in the area that is suitable for older people's housing and able to contribute to the NPPF's requirement to promote balanced communities. Pippa noted that the recommendation to approve the application is

inconsistent with DCC's promotion of housing for older people (see the School Aycliffe report in item 4 above).

## 6. Meeting with PhD Student

A PhD student from Newcastle University is working on mapping in neighbourhood plans with a particular interest in urban green spaces. We are obviously busy at the moment but Sue and Angela would like to meet him after Christmas to sound out possibilities. He is happy to wait until then. It was agreed that this should happen and **John L** will write to him accordingly.

## 7. Any Other Business

- Carole reported that some issues need discussing arising from Ros' Sustainability report. **Carole** will write to John L about this. (Post meeting note: a meeting has been arranged with Carole and a colleague on Wednesday 14 December at 2.00 to discuss these issues. **Roger, John L, John A** and **Sue** will attend.)
- Angela asked Carole about the availability of the Open Spaces Needs Assessment which is needed to finalise details about urban green spaces. Carole explained that, like the SHLAA, its publication would be delayed because of the pause in the County Plan process. **Carole** would make it available as soon as possible.
- David M asked what we were doing about the bus station proposals. It now seems unlikely to go to the planning committee before March. Roger explained that he had complained about the consultation process and that various Freedom of Information requests had been made. No clear evidence has been provided that there is popular support for moving the bus station. Nearer the time we should invite the case officer to discuss the application.

## 8. Future Meetings

It was agreed to continue to meet on the first Tuesday of the month at 10.00 at Wharton Park: 3 January, 7 February and 7 March. At the meeting on 3 January arrangements will be made for any sub-groups that are required to deal with detailed preparations for the public consultation.

**Happy Christmas and Best Wishes for 2017, the Year of the Plan!**

## **Neighbourhood Plan working group meeting- December 1st- Great Aycliffe Town Council**

Sedgefield Town Council were scheduled to give a talk about their experience of the independent examination process but they withdrew their offer a few days before. A few of their policies were approved but there were concerns over others, so it was withdrawn. One of their major issues was about a housing estate at Sedgefield, which has since been approved on appeal, and this significantly changed their plan.

### **Independent Examination**

Carole Dillon from DCC spatial policy team gave a presentation on the independent examination. DCC arranges the examination including any public hearing. They pay the fees- £750 per day! They select an examiner on their availability, provide them with the correct documentation and answer any questions on behalf of the Neighbourhood Plan Forum (qualifying body). Contact is always between the council and examiner, not the qualifying body. Finally they fact check the examiners report before public release

There are two routes for appointing an examiner.

1. NPIERS - Neighbourhood Planning Independent Examiner Service - DCC use this route. The examiners are not necessarily planning inspectors but they are suitably qualified people.
2. Open procurement - council go out to tender - time consuming

Why do DCC favour NPIERS?

It is a faster application process, and there is less conflict of interest.

A public consultation is held by DCC before sending all the information to the examiner.

The local planning authority provides information to NPIERS for the best match, which is based on the detail in the neighbourhood plan, for example if the plan focuses on green policies or housing, DCC will try and match this to the inspectors past experience and expertise. DCC need to give the examiner an indication of the complexity of plan and whether there are any contentious issues. DCC also indicate to the examiner whether the examination should be based on written representations or should be an examination in public. The only two plans from County Durham, which have come before an inspector, Sedgefield and Great Aycliffe were written representations not examinations in public.

There is only a small pool of NPIERS examiners so there may be a longer wait. Together DCC and the qualifying body agree the preferred examiner. Where agreement can't be reached DCC reserve the right to make the final decision. DCC confirm the award of the contract. Great Aycliffe have recently gone through the examination process. They were given two choices of examiner, so they researched their track records and checked their previous reports and decisions. If Great Aycliffe hadn't been happy with the choice of examiner they could have gone back to DCC and asked for another one.

Examination period - Hearing can be over 5 days, not necessarily consecutive days, and can last a month.

## **Lessons learnt by DCC**

Make contact with examiner during the public consultation period so the examination can take place shortly after this.

There is a need to understand the qualifying body's timetable

Involve the qualifying body in the selection process and iron out any differences of opinion during this process.

Consider the relevance and breadth of a candidate's experience.

## **How can the qualifying body assist the DCC**

Understand the procurement rules

Be prepared to meet the DCC at short notice and understand that the delegated authority have the right to make the decisions.

Be prepared to answer any questions at short notice from the examiner via the DCC on any aspect of the plan.

## **Written or examination in public, who decides?**

DCC makes a recommendation and the examiner has the final say. An examination in public may be recommended if there are lots of contentious issues. However if the public consultation has been thoroughly carried out and there is strong evidence of public consultation then there is no need for an examination in public.

## **How long does the public consultation before the examination last?**

Pre-submission public consultation is 6 weeks. If substantial changes have to be made then there is a requirement for another 6 weeks to go back to the public. The council then has a further 6 week public consultation before examination. To avoid too many changes following public consultation planning consultants suggest sending the plan to an examiner for a health check before submission.

## **Neighbourhood Plans and housing for an ageing population presentation by DCC's spatial planner Debbie Shanks**

In the DCC's local plan, withdrawn in 2015, there was a policy concerning housing for old people, the first of its type in the country. Other authorities are interested in this policy and are talking to Debbie about it.

During the next few years there will be a 100% growth in over 65s households in County Durham 10% of housing should be allocated specifically for older people, this is on top of the affordable housing allocation. Communities support this initiative. There was robust justification for the policy in the withdrawn plan.

The government have changed the design requirements. Building reg requirement M4 (2) & M4 (3) contain certain regulations that have to be met.

PPG identifies critical shortage of old peoples housing.

Councils SHMA 2016 and other evidence?? Reference: Regional HCA  
<https://www.gov.uk/government/organisations/homes-and-communities-agency>

In County Durham 35% of over 55s when asked in a survey would consider moving. 15% want to buy a bungalow and 10% a flat. The SHLAA shows there is a 25% need for this type of property. 66% of over 65s in the county are owner occupiers and many people are prepared to downsize. This policy was in the Sedgfield neighbourhood plan and was one of the few policies passed by the inspector.

The Great Aycliffe NP policy has put a requirement for 20% bungalows to be built on development land next to Woodham Community school. 20% is a positive step but at present it won't be deliverable.

Grant funding for older people's housing is now worse than it has ever been. There are grant schemes for starter homes for the under 40 first time buyer and Debbie is asking DCC to consider similar schemes for end-buyers.

Volume house builders are not building anything at moment, they are very resistance so there are no models for flats or bungalows. 9 bungalows specifically for older people have been built in the County in last 9 years! Developers and land-owners hated the DCC policy. So planners are trying to work with the developers (only 4 volume house builders in County Durham) to show viability and deliverability.

### **Viability and deliverability**

Bungalows are viable but following the withdrawal of DCC plan there is no evidence in public domain, further evidence will be published.

Registered providers, such as housing associations etc. are more positive about building this type of housing. Prince Bishop Homes/Derwentside - have built 30 bungalows recently and these were immediately rented

Self build schemes- people building for retirement is another option, so the developers can sell land, so these houses are deliverable. There are grants available for self-build.

DCC will work closely with the developers to deliver the housing. They have pre-application discussions with them before the public is aware of the developers interest.

A report from a Coxhoe parish councillor - Barrett built 2 bungalows on a recent development in Coxhoe and told the council they could have sold them 30 times over! Coxhoe Council were told you won't get anyone to build bungalows for rent because the government are pulling the plug on funding and focusing on starter homes for under 40 first time buyers.