

**FURTHER COMMENTS**  
**PLANNING ISSUE OR ACTION FOR CONSIDERATION**  
**7th May 2018**

The comments have unique codes as follows:

- EQ = electronic questionnaire response
- Q = paper questionnaire response
- EM = email response
- WC = web comment

However, no personal details have been provided.

The letters making comments relevant to this theme are coded as follows:

- L7: Durham Cathedral
- L8: Durham City Cricket Club (DCCC)
  - L8a: Response
- L9: Durham County Council (DCC)
  - L9b: Appendices A,B,C
- L15: Gladman Developments
- L16: Historic England
- L20: National Grid (via Amec Foster Wheeler)
- L21: Natural England
- L23: Nevilles Cross Community Association
- L25: Persimmon Homes
- L27: The Empty Shop CIC
  
- The codes for categorising the comments are as follows:
- c1: outside the remit of the neighbourhood plan
  - c1a: outside the Plan area
  - c1b: planning issue that has to be dealt with by the Council or by other bodies not by a neighbourhood plan
  - c1c: not a planning issue
- c2: a generic style comment of praise, blame, opinion etc not requiring a response just an acknowledgement
- c3: suggesting changes to the policies
- c4: suggesting changes to the projects
- c5: suggesting changes to the other text of the Plan

The issues for consideration are listed below. For clarity, only the relevant text in the columns is included. Similar comments have been grouped together as far as is possible.

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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<ul style="list-style-type: none"> <li>• Implementation</li> <li>• University</li> <li>• Projects</li> <li>• Text</li> <li>• Masterplan</li> <li>• Accessibility</li> <li>• Basic conditions (including SEA)</li> <li>• Offer of involvement</li> <li>• Addressing challenges</li> <li>• Developments outside the area</li> <li>• Other</li> </ul>		
<b>Implementation</b>		
<p>EQ15 This is where aspiration meets reality. As a mere resident it is clear that we need:</p> <ol style="list-style-type: none"> <li>1. A strong body to represent the Plan. The Forum has worked hard and long to make this set of robust, necessary, sensible and eminently supportable policies.</li> <li>2. Leadership and Continuity separate from the County Council to ensure that the latter meets our needs, and not vice versa!</li> <li>3. The City Parish Council to be a supportive and empowered body.</li> </ol> <p>Thank you for everything.</p>	c2. Suggestions for implementation	Consider for Chapter 5
<p>WC47 CHAPTER 5-IMPLEMENTATION &amp; MONITORING</p> <p>Whilst I understand and accept that the NPF will not be the body that undertakes implementation and monitoring of our Neighbourhood Plan, my sense is that the draft Plan in its current form is less strong in helping to promote desirable development than it will be in preventing undesirable development.</p> <p>Many people may think that, in a place like Durham, this should be the effect of the Plan.</p>	c3. More promotion of desirable development	Consider how policies could achieve this

<p>WC79 As a mere resident it is clear that we need: 1. A strong body to represent the Plan. The Forum has worked hard and long to make this set of robust, necessary, sensible and eminently supportable policies. 2. Leadership and Continuity separate from the County Council to ensure that the latter meets our needs, and not vice versa! 3. The City Parish Council to be a supportive and empowered body.</p>	c5. Suggestions for implementation	Consider under Chapter 5
<p>WC156 There has been a lot of hard work out into this document, most of which is to be welcomed. However, it is largely aspirational and the difficulty will be translating these aspirations into reality. Durham is a difficult environment to work in because of its existing street plan and topography. Cycling within the city is at best only for the fit and young, and at worst downright dangerous. Most desirable housing sites have been squandered to speculative student accommodation schemes, when the real sustainable demand is for younger single people, couples and families who are income earners, together with the elderly. The only way of bringing significant traffic relief to the city centre is from an outer ring road, which has serious adverse environmental consequences. Sadly, we have a completely dysfunctional planning department and planning committee, which, since the demise of the City Council, no longer has any real commitment to Durham City, witness the staggeringly silly decision to close the very successful tourist information centre and to submit a County Plan to the Government that was fundamentally flawed from the outset. I wish the Planning Forum every success, but I fear without a radical change of political control and a major overhaul of our planning department, your task will be enormously difficult.</p>	c2. Concern over implementation	Consider coverage in Chapter 5
<p>WC183 This policy recognises the relevance of the WHS management's plan's Action Plan to the Neighbourhood Plan. In particular, the Action Plan's objective to improve access to and across the WHS for people with disabilities and their carers, is identified as relevant. Yet there is no recognition in the Neighbourhood Plan of the very real difficulties that will be</p>	c2. Concern over implementation	Consider coverage in Chapter 5

encountered in trying to achieve this objective. Consultation with disabled people, and advice from those with expertise in the needs of people with disabilities appears to be lacking. Without that consultation and advice, the identified objectives will not be achieved.		
L23 Look at comments under 'Addressing challenges' section		
<b>University</b>		
Q24 The overall plan seems to be very anti university. Surely we should explore and aspire to more collaborative initiatives.	c2. Anti university	Consider how University covered in Plan
EQ20 Failure to include recognition of, or include policies to build on, the positive contributions that Durham University makes to the economy and culture of the City is a major shortcoming that must be redressed.	c3.c5 Lack of coverage of positive contributions of the University	Consider coverage of the University in the Plan
WC7 The vitally important role of the university in this city must be recognised.	c2. Role of University in City	Consider coverage of University in the Plan
L23 Re student numbers Look at comments under 'Addressing challenges' section		
WC151 THEME 1. Upon reflection I am clear that by far the biggest single challenge facing the City in the Plan period will be how the University will be permitted to progress its further growth aspirations and how the further worsening of the already severe imbalance between "Town & Gown" can be managed. Further University growth within the City on the scale recently announced will further substantially damage our City, create further pressures on infrastructure and support services, and challenge sustainability. Would I be naive in hoping that, once the Neighbourhood Plan is approved and in place, the planning system will enable unsustainable planning applications submitted piecemeal to be identified and rejected? At this late stage is there any way that the Neighbourhood Plan could include an additional provision which might give the City greater protection against University menace? Not an easy question, but worth thinking about.	c2. Concern over the effect of University expansion	Consider coverage of University in Plan

<p>WC206  ... Students are often sympathetic to residents problems. Help them to join in making lives easier where ever they can. The students often don't agree with Uni policies! They have as little say as the rest of us ordinary folk. The Council is working with developers and probably some people are doing very well at the expense of the common good of the city. Who are these powerful people? Time to name them, and examine what they are doing, why, and who is benefiting!</p>	<p>c2. Involve students</p>	<p>Note: We have tried in a number of ways to obtain students' views</p>
<p><b>Projects</b></p>		
<p>EQ25 One point I think that might not have been considered is food sustainability and food waste, and working together as a community to ensure we reduce this. Maybe a mention of support for local projects that are trying to tackle this issue would be helpful? Copied from Theme 1  This is such a comprehensive and cohesive plan, it fills me with a lot of hope about the future of our city!</p>	<p>c4.c3. Addition to projects re food sustainability, and to Theme 1</p>	<p>Consider additions to projects and to Theme 1</p>
<p>EQ31  There is some confusion between the projects in Chapter 5 and Appendix A. 5.2. Should provide the discussion about the need for projects, their purpose and how they could be implemented, incorporating paras 1 and 2 from Appendix A. All the projects should then be listed in Appendix A, with duplication dealt with e.g. Policy Implementation Project 4 and Project 14.</p>	<p>c4. c5. Confusion between projects in Chapter 5 and Appendix A</p>	<p>Consider how projects covered in Plan</p>
<p>EM15.  • General Comments regarding the concept of 'Projects' within the Plan Chapter 5: Implementation and Monitoring -  5.2: Projects to implement Plan Policies  Policy Implementation Project 3: Policy C1 - Community Arts Facilities  • First bullet should read – arts facilities, not community arts facilities.  Also need for permanent studio spaces  • Second bullet –should read 'a range of gallery spaces'  5.8 In order to implement this project when the Forum ceases to exist, it will be necessary to do two things: (text at time of Consultation)  Comments</p>	<p>c4. Comments about projects</p>	<p>Consider changes to projects</p>

1. The following three potential new facilities are in the planning phase at the time of this Consultation, (December 2017) and need to be reflected in this section:

- Plans are underway for a County Council run contemporary art gallery in the former Tourist Information Centre at the Gala Theatre to open in 2018.
- Durham Miners Association is currently working towards the opening up of the Durham Miners Halls at Redhills for community use for practice, performance and events. This is dependent on the successful raising of significant financial investment.
- Durham University are also exploring opportunities to open up their extensive 20th Century Art collection to the community and piloted the 'Bailey Gallery' scheme in June 2016.

2. The Parish Council will be in place in 2018 and therefore the phrase 'a possible future Town Council needs to be changed to 'the future Parish Council' Part of its role is to 'undertake projects and schemes that benefit local residents' and 'work in partnership with other bodies to achieve benefits for the parish,' (Cumbria Association of Local Councils)

- The concept of a Durham City Regeneration Body needs to be discussed in full by the Working Party. Would such an organization be created at the same time as the Parish Council? What 'projects and schemes' would it be responsible for? Will the Parish Council fulfil the role needed to take the Projects outlined in the Neighbourhood Plan forward, without a regeneration Body?

- Also need to discuss the importance of 'loose partnerships' brought together on a project by project basis, as opposed to a large monolithic organisation

General Comments regarding the concept of 'Projects' within the Plan I think the concept of Projects is confusing within the Plan I'm not sure if there is a clear distinction for the public between the projects identified in Chapter 5 / 5.2 (Projects to Implement Plan Policies) and those outlined in Appendix A (Projects to improve the economic, social and environmental realm) There appears to be a hierarchy here, with the projects defined in 5.2 being the key ones, supporting policies and Appendix A – the wish list.  
Additional Neighbourhood Plan Consultation comment -

<p><b>Comment</b> I wish to make an additional comment regarding 5.2 Projects to implement Plan Policies/ Policy Implementation Project 3- Policy C1. This section in my first response to the Consultation ( 16 December 2017) states: 'Durham Miners Association is currently working towards the opening up of the Durham Miners Halls at Redhills for community use for practice, performance and events. This is dependent on the successful raising of significant financial investment'. I would like to change this paragraph to: There has recently been an announcement regarding the current Miners' Hall at Redhill,s for a 5 year plan to preserve the building and bring it to the point where people can celebrate, practice and display the living heritage and culture of the North East. I believe The Forum should support this project in any way possible.</p>		
<p><b>WC47</b> However, with a view to the Plan being more pro-active which I think it needs to be, I suggest that the Projects listed in Appendix A should include reference to the need for the Railway Station, Bus Station (on its current site please), and North Durham Hospital to be adapted over the course of the Plan period and beyond to meet the growing and changing needs of users. In addition I would wish to see a clear proposal for the extension of "park &amp; ride" facilities to serve traffic from the south-west from Langley Moor, Meadowfield and beyond, and from the west of the City via Broom Lane. Our Neighbourhood would derive significant additional value from such a facility which might be capable of location on a site adjacent to the A 690 in the Stone Bridge area, even though it would lie just outside the Our Neighbourhood area</p>	c4. Additions to projects	Consider additions to projects
<p><b>WC134</b> Conversations with members of the public at drop-in events made me aware of confusion about the projects mentioned in Chapter 5 and those in Appendix A. We need a thorough review of these two sections to strengthen them and remove any confusion.</p>	c4. c5. Confusion between projects in Chapter 5 and Appendix A	Consider how projects covered in Plan
<p><b>L9</b> Projects: PPG clearly states that wider community aspirations than those</p>	c4. Referencing to projects	Consider referencing within body of



<p>relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non -land use matters should be clearly identifiable. For example, set out in a companion document or annex. Whilst the Forum has sought to include projects falling into this category in a separate appendix the council is concerned that there are a number of references to these within the supporting text relating to the planning policies. This matter needs to be addressed in order that the plan accords with the PPG in relation to this matter.</p>		plan
<p>WC168 Comment on your post "Appendix A" I support all of these numbered these projects, including Project 13 North Road Regeneration. With respect to the call for the provision of public toilets--something I support--it can be noted that further up North Road, at the low end of Wharton Park, there is a toilet block in place. This has been closed for over a year 'for repairs' (though no repairs appear to have been carried out since the closure). These toilets might usefully be reopened. On the subject of toilets, a second block of convenient and well used public toilets by the Wear, near Baths Bridge, were closed approximately 8 years ago 'due to vandalism'. These toilets too might usefully be reopened. Perhaps these things could be added to the plan?</p>	c2. Addition to projects	Consider addition to projects
<p>WC206 Litter is one of the biggest shameful messes this city has. A few examples: Students throw stuff on local paths in Pelaw woods on the way to Maiden Castle sports fields. Fishermen leave (often dangerous hooks/ line) rubbish along the river. Locals don't clean up the areas in front of their own houses as they see it as the work of Council - so it gets left and blown into rivers, and ends up in the trees, in fields, on verges, and of course in the sea. Residents should help to clean the city and so should students staying in our neighbourhoods. How can this be organised? Change begins at home! That's probably enough from me.</p>	c1c. Litter outside remit (not a planning issue)	Consider covering this in a project
<p><b>Text</b></p>		
<p>EQ31 Every policy would benefit from the addition of one to a few sentences stating what they aim to achieve.</p>	c3.c5. Add in aims of policies	Consider adding in aims

Q63 Plan layout can be confusing. Multiple sequences, Themes, paragraphs, policies, sub-sections, each numbered or lettered, need simplification, if possible.	c5. Confusing layout	Consider Plan layout
L7 In paragraph 4.215 there is a mistake: Lumiere is not biannual (every six months) but biennial (every two years).	c25. Spelling mistake	Correct
L23 Re Vision Look at comments under 'Addressing challenges' section		
WC200 Comment on your post "References to Evidence Base" In the appendix listing educational institutions Durham Sixth Form Centre is listed as the "Sixth Form Centre".	c5. Amendment to appendix	Consider amendment
WC203 Schools - no mention of Durham Sixth Form Centre which serves the the whole of County Durham and parts of Sunderland Deprivation - no mention of Gilesgate	c5. Amendment to text	Consider amendment
WC206 Unfortunately, I am unable to study this lengthy proposal in any real detail. I cannot see a useful overseeable summary to help me. When the issues are so many, and so complex it becomes too difficult to do justice to the enormous efforts made by those compiling this work. I cannot take the time to get to grips with all this.	c2. Lack of summary	c2. Consider some kind of overview/ guide to help people navigate the Plan. Note: a summary was provided
<b>Masterplan</b>		
WC98 * apart from individual policies, what is needed above all is a Masterplan to ensure connectivity between the different developments that are proposed. Lack of such oversight is seen clearly in the fact that both the Gates and Milburngate redevelopments include a cinema and there is no clear scheme to link the two neighbouring sites. This is the concept of town planning, but we only seem to consider individual planning applications. Even on the same site (eg Maiden Castle) applications come forward piecemeal so that the overall impact is never considered.	c2 Need for a Durham City masterplan	Consider point re masterplan

WC151 Would I be naive in hoping that, once the Neighbourhood Plan is approved and in place, the planning system will enable unsustainable planning applications submitted piecemeal to be identified and rejected?	c2 Need for a masterplan	Consider point re masterplan
<b>Accessibility</b>		
WC166 We welcome the acknowledgment, in several places in the Neighbourhood Plan, of the need to take into proper account the importance of assuring and enhancing the accessibility of the City, its services, facilities and environment, to all people, whether they be City residents, neighbours or visitors. In recent years there have been some improvements in accessibility issues, but there remain persistent problems which can be addressed and resolved. One reason why less has been achieved than is possible and desirable has been the failure to consult those people who are affected when access is not as good as it should be, or to seek professional informed advice.	c2. Accessibility	Consider coverage of accessibility in Plan
WC210 I support the views of the Access Group.	c2. Need for accessibility	Consider coverage of accessibility in the Plan
<b>Basic conditions (including SEA)</b>		
L9b Summaries of the DCC's comments are given below (as the original is many pages long). For details (which will be used in addressing their concerns) see the full response		
L9b <b>SEA:</b> Specialist officers have identified fundamental concerns about the way in which the group have undertaken the Sustainability Appraisal and Strategic Environmental Assessment that was required because of the environmental/ heritage sensitivities relating to the plan area.	c2. Concern over SA/SEA	Action agreed: Workshop with DCC officers and hopefully Historic England on 22 February 2018 Technical guidance obtained from Locality

<p>L9b  <b>Effectiveness of pre consultation engagement:</b> the county council is of the opinion that the working group has not embraced much of the advice given relating to the council's representations to this consultation. For example the council is aware that despite being addressed to the wider Forum members not all were not privy to the county council's health check findings. Rather, these were only considered by the working group, who represent only part of the Forum.</p>	<p>c2. Concern over Forum involvement</p>	<p>Note: This is a misunderstanding; the full Forum was made aware.</p>
<p>L9b  <b>Engagement:</b> It is also evident the County Council's assets team alongside the University and Durham Business Improvement District (BiD), who are all significant stakeholders with differing interests and requirements, have not been adequately engaged in the preparation of the draft plan. This raises question marks over the delivery of parts of the plan.</p>	<p>c2. Lack of engagement</p>	<p>Note:  The Assets team are within the Department consulted and represented on the Working Group by an officer of the Head of Planning and Assets. Feedback on sites were provided by DCC health checks and the Forum amended policies in the light of this. The pre-submission draft was sent to the Chief Executive with the request for it to be forwarded to all relevant sections within the Council.  The University was asked in 2015 to provide a link person: the eventually named link person only attended a handful of meetings and did not make comments. The replacement link person in 2017 has fully engaged. It should also be noted that the Forum has tried to open up contact with the University via the MP, via a meeting with the VC, and via DURF.  Durham BID has a representative on the Working Group who attended and contributed many times, and</p>

		was the co-convenor for the Economy Theme.
L9b <b>Allocations:</b> Furthermore, it seeks to allocate land for purposes other than what it already has planning permission, and in some cases where schemes are now under construction which again conveys a negative tone about certain types of development which were previously deemed suitable by the local planning authority in the context of the existing local and national policy framework.	C3 and C5. Re allocations	Consider responding that this will be discussed and hopefully resolved in the agreed officer workshops.
L9b <b>Delivery Plan:</b> Finally the county council is unconvinced that the Delivery Plan associated with the DCNP has been prepared through proper engagement with stakeholders (including itself) or any appropriate understanding of the implications involved in terms of practicalities and resources in delivering projects listed.	C3 and C5	Consider responding that this will be discussed and hopefully resolved in the agreed officer workshops.
L9b <b>Implications upon the future sustainability of the area:</b> as currently drafted, the DCNP conflicts with a number of policy areas as detailed above, notwithstanding the fact that it has been subject to a full Sustainability Appraisal (SA) incorporating SEA, the concerns about which are set out above. Ultimately the SA Report reads as a somewhat biased assessment which has not served to have the positive influence that it should have had on plan preparation.	C2. Concern over SA/SEA	Action agreed: workshop with DCC officers and Historic England on 8 March 2018
L9b <b>Relationship with and implications on existing and emerging policy:</b> the PPG makes it clear that a draft neighbourhood plan must be in general conformity with the strategic policies of the development plan in force. Also, potential conflicts should be minimised to ensure that policies in the neighbourhood plan are not overridden by a new Local Plan. Of extreme concern to the council is the emotive tone of some of the supporting text which accompanies these policies, particularly in respect to the student population and council activity. This is considered to be unnecessary and beyond the scope and spirit of a neighbourhood plan, particularly given it will sit alongside the council's development plan.	C3 and C5	Note: The DCNP clearly states that it will be brought into alignment with the CDLP as it emerges.  Consider tone of text

<p>L9b  <b>Clarity of policies:</b> throughout the period during which the county council has offered 'support' to the Forum it has provided advice on the wording of policies and justification text. Despite this and the fact that the health checks have highlighted significant deficiencies with the phrasing of the vast majority of policies these concerns remain largely unresolved. Details are set out in an appendix.</p>	<p>c2: Lack of response to Council's advice</p>	<p>Note that the 'support' has been almost entirely advice that the wording is wrong / unacceptable / impractical without however providing any guidance on how this wording needed to be changed. It should also be noted that in many places changes were made in the light of the DCC's health checks. This will be discussed and hopefully resolved in the agreed officer workshops.  Early support from the Council was very minimal. Support much improved from October 2016 onwards.</p>
<p>L9b  <b>Effectiveness of policies:</b> whilst the council has no objection to many of the visions and objectives of the DCNP there are instances where the county council is unconvinced that the policies work towards meeting those objectives. This in part is a consequence of the wording of policies. Details are set out in an appendix.  The council is concerned that the plan, whilst setting out a number of objectives and aspirations within the supporting text in many instances the policies do not serve to fulfil some of these. Furthermore, the DCNP has missed an important opportunity to provide a suite of more focused policies that a locally specific to the neighbourhood area that would have provided greater depth and opportunity for a positive framework to help contribute to the continued sustainability of the area.  As a consequence in its current form the draft plan reads as an overly restrictive policy document which poses the prospect of future stagnation to the area, which includes the city centre, a significant valuable heritage and economic asset. For example its town centre policies and proposals fail to recognise the most up to date national policy approach of planning to enhance the visitor experience to beyond that of retail.</p>	<p>c3. Deficiencies in policy wording</p> <p>c2. View that the plan lacks local focus and is too restrictive</p>	<p>Addressed under each Theme</p> <p>Local focus: This will be discussed and hopefully resolved in the agreed officer workshops.  Restrictive nature: Note: The policies have been written in response to the priority survey responses and have received high levels of support in the pre-submission consultation.</p>

<p>Furthermore, given deficiencies in the drafting of policies which include advocating an outdated approach to heritage matters and intent to set a higher bar than the existing adopted local and national policy on these important matters, it represents an unjustified challenge to and an upsetting of the existing balance that has been carefully struck between competing development and conservation requirements through the existing national and local policy context.</p>		
<p>L9  <b>Deliverability:</b> both individually and collectively there are a number of policies proposed that place unreasonable, unequitable, conflicting, and unjustified and/ or inadequately evidenced constraints on future development proposals for the area. The overall approach in the document is considered by the council to be one of imbalanced, inflexible control which is divergent from the approach advocated within the current City of Durham Local Plan and NPPF. It is also at odds with the county council's wider emerging policy approach regarding the potential of the city in contributing to the wider economic prosperity of the county.</p>	<p>c2. At odds with Council's approach</p>	<p>Note: The policies have been written in response to the priority survey responses and have received high levels of support in the pre-submission consultation.</p> <p>Note: We have not yet seen this as the Council have told us, after many requests, that any information about the developing Local Plan, and any supporting evidence, can only be made available to the Forum once it is in the public domain</p>
<p>L9  As some strategic policy approaches within the existing CDLP are non-negotiable in that they reflect NPPF content and basic planning principles, (e.g. heritage and Greenbelt), it is reasonable to presume that these would be taken forward in the forthcoming CDP. The county council is concerned that there are aspects of the DCNP that merely repeat NPPF and/ or the CDLP. The council has identified several instances where the DCNP approach deviates from and conflicts with that of the council's existing and evidence relating to emerging plans and strategies.</p>	<p>c2. Conflict with DCC's emerging plan and strategies</p>	<p>Addressed under individual themes. But note Forum response above about lack of access to the Council's emerging plan</p>
<p>L15  This letter provides the response of Gladman Developments Ltd (hereafter referred to as "Gladman") to the pre-submission version of the Durham Neighbourhood Plan (DNP) under Regulation 14 of the Neighbourhood</p>	<p>c2. Statement about legal situation for NPs</p>	<p>Noted</p>

<p>Planning (General) Regulations 2012. Gladman specialise in the promotion of strategic land for residential development with associated community infrastructure.</p> <p>Gladman has considerable experience in the development industry across a number of sectors, including residential and employment development. From that experience, we understand the need for the planning system to provide local communities with the homes and jobs that are needed to ensure residents have access to the homes and employment opportunities that are required to meet future development needs of the area and contribute towards sustainable economic development.</p> <p>Through these representations, Gladman provides an analysis of the DNP and the policy decisions currently being promoted within the Plan. Comments made by Gladman through these representations are provided in consideration of the DNP's ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the Planning Practice Guidance {Section ID: 41} (PPG).</p> <p><b>Legal requirements</b></p> <p>Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the DNP must meet are as follows:</p> <ul style="list-style-type: none"> <li>a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.</li> <li>d) The making of the order contributes to the achievement of sustainable development.</li> <li>e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).</li> <li>f) The making of the order does not breach, and is otherwise compatible with, EU obligations.</li> </ul> <p><u>National Planning Policy Framework</u></p> <p>The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to</p>		
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be applied. In doing so it provides guidance on the requirement for the preparation of neighbourhood plans to be in general conformity with the strategic priorities for the wider area and defines the role which neighbourhood plans can play in delivering sustainable development. At the heart of the Framework, is a “*presumption in favour of sustainable development*” which, as outlined in paragraph 14, should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet Objectively Assessed Needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

Paragraph 16 of the Framework makes clear that the presumption in favour has implications for how communities engage in neighbourhood planning, stating that neighbourhoods should;

- “Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;
- Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and
- Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed. “

Furthermore, paragraph 17 sets out that neighbourhood plans should define a succinct and positive vision for the future of the area and that neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. In addition, neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

Further guidance for groups involved with the production of neighbourhood plans is specified at paragraph 184;

**“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their**

**community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”**

This makes clear that the ambition of the neighbourhood plan should be aligned with the strategic needs and priorities of the wider area as confirmed in the adopted Development Plan. It is therefore important that sufficient flexibility is included within the Plan so that it is able to respond positively to changing circumstances which can arise through the preparation of any future emerging Local Plan.

#### Planning Practice Guidance

It is clear from the requirements in the Framework that neighbourhood plan policies should be prepared in general conformity with the strategic requirements for the wider areas, as confirmed in an adopted Development Plan. The requirements set out in the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG). On the 11th February 2016, the Secretary of State (SoS) published a series of updates to the neighbourhood planning chapter of the PPG. In summary, these updated a number of component parts of the evidence base that are required to support an emerging neighbourhood plan.

This guidance is intended to ensure that emerging evidence of housing need is addressed, to in turn help to minimise any potential conflicts which can arise and ensure that policies are not overridden by a new Local Plan or subsequent Site Allocations Local Plan.

On the 19th May 2016, the SoS published a further set of updates to the neighbourhood planning chapter of the PPG. {Paragraph: 084 Reference ID: 41-084-20160519 (Revised 19/05 2016)} The update also emphasised that; “... All settlements can play a role in delivering sustainable development in

<p>rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.” {Paragraph: 044 Reference ID: 41-044-20160519 (Revised 19/05/2016).} Accordingly, the DNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic condition (a).</p> <p><b>Relationship to Local Plan</b> <u>Adopted Development Plan</u> The current Development Plan for County Durham is contained in the relevant ‘saved policies’ of the Local Plans prepared by each of the former District and Borough Councils’. The adopted Development Plan was prepared in accordance with a previous era in national planning policy and guidance. The Framework now requires Local Planning Authorities to prepare assessments for the relevant housing market and land availability. Given that the Development Plan for the neighbourhood plan area is out of date and time expired it is important that the Plan allows for sufficient flexibility so that it is not ultimately superseded by a new Local Plan as s38(5) of the Planning and Compulsory Purchase Act 2004 states that: ‘if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be).’</p> <p><b>Conclusions</b> Gladman recognises the role of neighbourhood plans as a tool for local people to shape the development of their local community. However, it is clear from national guidance that these must be consistent with national planning policy and the strategic requirements for the wider authority area. Through this consultation response, Gladman has sought to clarify the relation of the DNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area. Gladman is concerned that the plan in its current form does not comply with basic conditions. Accordingly, the Parish Council should consider the issues raised in these representations and ensure that the policies which do not comply with national policy and guidance are amended to ensure the Plan</p>	<p>c2. Concern that plan does not comply with basic conditions</p>	<p>Consider in final health check</p>
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can be found in conformity with basic conditions.		
<p>L16 Strategic Environmental Assessment / Sustainability Appraisal I am pleased that most of our previous comments (dated 14 July 2017) on the Scoping Report have been addressed, yet there remain concerns. I am broadly happy with the probing questions you identified in the final Scoping Report, but their application and the options identified are problematic. This is of concern, not least because the issue of the historic environment was a key trigger for the need for SEA. Your SEA process for heritage is based on an option which is of concern: option (b) is to make more “prescriptive” and “stringent” policies than existing higher level policies. This is unlikely to be acceptable because, as has been set out above, policies which are more stringent than existing higher level policy mean the plan is unlikely to be in accordance with the NPPF. Rather than in the degree of prescription your policies provide, options should be found in the detail of how higher level policy is applied. Neighbourhood planning is about adding local detailed policy in a way which tackles issues found in the evidence gathered. SEA ensures these will meet the sustainability objectives identified. I am concerned that the premise for the assessment itself is therefore flawed in identifying and choosing an inappropriate option. I am also concerned that the assessment process does not appear to have identified any adverse impacts from the plan’s policies, which on the face of it appears unlikely. As a result, this means that mitigation (referred to in your report as fine-tuning) appears weak. This is apparent in Policy H4 which the SEA report says was introduced as a result of SEA fine-tuning; as set out above this policy is weak.</p> <p>I hope that measures can be taken to amend the plan and the SEA, including as set out above, before it is submitted to the Council. I look forward to the next steps of the process and would be happy to contribute further as you move forward.</p>	c2. Concern over SA/SEA	Action agreed: Workshop with DCC officers and hopefully Historic England on 22 February 2018 Technical guidance obtained from Locality
<b>Offer of involvement</b>		
<p>L25 Concluding comments</p>		

<p>Persimmon Homes fully supports the perpetration of a Neighbourhood Plan for Durham City that fully accords with the principles of the NPPF and plan positively for the sustainable growth of the City. As a key stakeholder in the future development of Durham City we would welcome the opportunity to engage and assist in the formulation of the Durham City Neighbourhood Plan.</p>	c2. Offer of involvement	Consider involvement
<p>L15 Gladman hopes you have found these representations helpful and constructive and would welcome the ability to assist in the Steering Group in preparing the neighbourhood plan prior to its submission under Regulation 15.</p>	c2. Offer of involvement	Consider involvement
<p><b>Addressing challenges (see also some of the points under University section)</b></p>		
<p>WC91 Comment on your post "Chapter 2: Introduction" The challenges outlined in 2.6 and 2.7 , the growth of the University and the change in property use, must be seen as of paramount importance. If these issues are not properly resolved, much endeavour elsewhere may be futile.</p>	c2. Need to address challenges	Consider how challenges addressed in Plan
<p>L23 The Nevilles Cross Community Association Planning Sub-group has reviewed the NPF Plan and reports as follows: 1. Overview The group welcome the Plan which represents for the first time an initial holistic vision for Durham City and those policies intended to deliver that vision. It does so from the perspective of those who live and work here. In this spirit the group supports the Plan and most of its policy recommendations but also raises a number of general comments (A) and a number relating to specific themes (B) that reflect our views and concerns which may – or may not - add to the revision of the Plan without detracting from its overall focus. In terms of our general views and concerns about the whole approach taken in the Plan, we recognise that the Plan is a planning document. As such it is intended to provide a framework for inputting into planning and</p>		

<p>other decisions to achieve the Plan’s vision for Durham City. On the other hand, and of fundamental importance, we consider the Plan’s vision for Durham as very much a holistic aspirational narrative that envisages how we would all like the City to be, particularly from the perspective of residents.</p>		
<p>We feel, however, what we wish for, and what is realistically achievable, is in many areas being influenced by a number of other agendas that could inhibit such a vision unless the primacy of the Plan and its policy recommendations is emphasised. We feel therefore the Plan should from the outset identify, mitigate or overcome any constraints that these agendas pose – and this needs to be addressed directly, and in some detail. Without this approach we are concerned that other decisions and agendas could continue to undermine the basis for and intentions of the Plan, a set of current circumstances that is already largely unsatisfactory from a residential point of view. We now feel that there is a unique opportunity to address these issues in the Plan which should from the outset propose explicit means to mitigate or remove identifiable inhibitors to deliver the vision. We discuss these concerns below.</p>	<p>c2. Constraining issues that should be addressed</p>	<p>Consider how this can be covered in the Plan</p>
<p>A. GENERAL CONCERNS</p> <p>2. Chapter 2 – Challenges</p> <p>Our main issue relates to the roles and intentions of the County Council (DCC) and the University. We feel that the Plan does not root itself firmly in the realities of the City as it currently stands, including the past and current agendas of both organisations. We would welcome a separate chapter/theme that specifically identifies how the approaches of both have led to the current situation in the City. It also considers that these and other approaches should also be usefully mapped against the NPPF to show, for example, those constraints or inhibitors to delivering the Framework in practice for the City. This should allow the Plan to adopt a clear and strategic viewpoint on what needs to be done to address the main facilitators/inhibitors to delivering its vision. This is fundamental to the delivery of the Plan in our view.</p>	<p>c5. New chapter</p>	<p>Consider adding in this new chapter</p>
<p>At the centre of this lie two questions concerning the future of the City. First, how does DCC envisage Durham - a tourist destination, an entrepreneurial hub, a city that puts residents at the centre, or an expanding</p>	<p>c5. Vision not clear (and further comment on this later)</p>	<p>Consider vision</p>



<p>are in terms of current retail, accommodation, cultural, recreational and other provision, why we are where we are (especially in terms of DCC and University approaches), and what needs to be done to facilitate the Plan. We consider that the Plan must influence, rather than be influenced by, those approaches so that its vision can be protected against dilution by others' agendas.</p> <p>3. Chapter 3</p> <p>The approach proposed in 2. would allow a much sharper focus on what needs to be done to achieve the stated vision. It is clear from the responses that the primary wishes for residents would be to see, under 3.5, the City both as a tourist and cultural destination and a residents' city. This can only be achieved through, under 3.6, policies that promote the City as such and, crucially, safeguard its residential base that would provide the quantum to justify the need for or demand for a number of the themes' objectives.</p> <p>This is described widely in the NPPF at paras 69-78 in its pursuit of Promoting Healthy Communities. As suggested above, this could usefully be used as a framework for a chapter or theme that discusses the impact to date of various approaches and agendas that have mitigated against delivering the NPPF and what should be done to align the Plan with the objectives of the NPPF. In particular it is essential that the Plan and DCC and the University address the question of the expansion of University numbers, or at least managed expansion of numbers, to facilitate the Plan's objectives and action plans that deliver the vision. This is discussed in detail in the next section.</p>		
<p>WC3 Comment on your post "Contents"</p> <p>The 'plan' appears to suggest we live at present in a 'beautiful and historic city'. This is not the case. Durham City, which is more than just the peninsular, has already been damaged irrevocably by irresponsible policies from the County Council, University, past City Councils and Parliament, and is sadly now an imbalanced community which is set to get even worse. This plan fails to recognise these issues.</p>	c2. Plan not recognising the damage to the City	Consider coverage of this in Plan



<b>Developments outside area</b>		
<p>WC13 It is worth pointing out that possible developments outside Our Neighbourhood and therefore outwith the scope of the Plan could nevertheless have major implications for the City-for better or worse eg the re-opening of the Leamside Line, or the extension of park-and-ride provision. It would, in my view, be a lost opportunity not to go on record in relation to such threats and opportunities.</p>	c2. Cover outside developments and their implication	Consider covering these in Plan
<p>WC140 The plan's boundaries should include all the Conservation Area in Gilesgate, Old Durham etc, it is not entirely clear if these are included, ideally it should also include other parts of Gilesgate that impact on the setting of the Conservation Area and the entrance into the city. In addition the setting to the Conservation area elsewhere and the World Heritage site is important and the plan should include within its boundaries perhaps some of the fields and farmlands in the Old Durham area and elsewhere. Impacts of outside development beyond the boundaries need to be considered.</p>	<p>c1a.b Locations outside remit (outside area, and down to Council)</p> <p>c2. Consider impact of outside developments</p>	<p>No action Note: The Council set the boundary of the Neighbourhood Plan area</p> <p>Consider how to cover in Plan</p>
<b>Other</b>		
EQ10 Some of the information presented appears to be out of date.	c2. Out of date information	Consider checking the currency of information
EQ48 A plea for more mixed, sustainable development. Any policy that enhances a balance of resident vs non-resident population would be most helpful: in terms of housing, infrastructure, amenities, access to retail. Perhaps a closer look at, and adoption of (as appropriate) planning policies in comparable university towns might help to keep the CDNP up to date? See Oxford, Cambridge, St Andrews. Thank you. Copied to Theme 1	c2. Look at other Neighbourhood plans	Consider looking at the other neighbourhood plans
WC100 Comment on your post The SRA fully supports this policy [D4] and would like consideration to be given to the development of Durham as a dementia friendly city. This would	c2. Develop Durham as a dementia friendly city	Consider covering in plan

have implications beyond housing.		
WC210 As a matter of interest do we have the sample size for the views?	c2. Sample size	Consider if this can be included in numerical analysis of responses