

4.1 THEME 1: A CITY WITH A SUSTAINABLE FUTURE

TRACK CHANGES FROM 2019 CONSULTATION

Vision

4.7 Durham City will have developments that meet and balance current needs without limiting or compromising the ability of future generations to meet their needs. All new development will contribute to a long-term sustainable future for Durham City by ensuring a balanced relationship among environmental, social and economic outcomes.

Objective

4.8 To ensure that sites and buildings approved for new development and/or redevelopment, renovation, conversion, extension will be sustainable.

Context

4.9 Sustainable development is the golden thread that runs throughout the National Planning Policy Framework (NPPF Chapter 2) and through our Neighbourhood Plan. A key purpose of planning is to promote sustainable development that seeks the achievement of a successful balance among the following three NPPF objectives (para. 8).

4.10 **The economic objective** is to contribute to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation that is needed to create the range of jobs needed in future. The best use of the few available sites must be made and in particular counteract the domination in provision of accommodation for students over other established needs. It is also necessary to coordinate development requirements, including the provision of a modern transport and communications infrastructure.

4.11 **The social objective** is to support strong, vibrant, balanced and healthy communities by meeting the housing needs of present and future generations and by creating a high quality built environment with accessible local services that meet the community's varied needs to support its health, educational, social and cultural well-being. Given that Durham is a City with a growing student population, we must balance the needs of all residents. The key social sustainability test of any new development in the City is the contribution it makes to general well-being and equity for all.

4.12 **The environmental objective** is to contribute to protecting and enhancing our natural, built and historic environment, all of which are particularly rich in Durham City. This objective will include helping to increase biodiversity, using natural resources prudently as we move to a low carbon economy **to respond to the climate change emergency** (SEM3, SEM16), minimising waste and pollution, and mitigating and adapting

to climate change. In Durham City this requires particular attention to building resilience to flooding and safeguarding the high quality of the built and natural environment.

Justification

4.13 This justification refers to the Sustainability theme as a whole. Additional, specific justification for an individual policy is given with the policy itself.

4.14 Delivery of this Plan's sustainability objective requires the application of the highest standards of current best practice **to respond to the climate emergency** (SEM3, SEM16). **Regard should be had to the most up to date best practice in order to ensure the continued delivery of the sustainability objective.** (Deleted by JL to avoid repetition) It is important that developers are aware that sustainable development covers the whole process including the justification for the selection of the site, and the design process including the preparation of a masterplan for **the larger major development** (L5b, L9, L17) sites. Good practice also includes responsible use of resources in construction and operation and procedures for maintenance, refurbishment and ultimately demolition. There are further requirements for best practice in minimising waste and avoiding air, land and water pollution. **Good practice in terms of ensuring accessibility for all includes the use of qualified access consultants.** (L4) In order to meet the special requirements of development in Our Neighbourhood, there is an absolute need for the Planning Authority to make clear that a high level of achievement of each aspect of the development process is required.

Planning Policies and Proposals for Land Use

4.15 The policies related to this theme are:

- Policy S1: Sustainable Development Requirements of all Development and Re-development Sites Including all New Building, Renovations and Extensions
- Policy S2: The Requirement for **Master Plans Masterplans**

Policy S1: Sustainable Development Requirements of all Development and Re-development Sites Including all New Building, Renovations and Extensions

All development proposals **for new buildings and renovations, changes of use or extensions to existing buildings** (L5b) must, where relevant, demonstrate the following principles:

Promotion of economic well-being by:

- a) Contributing to a mix of uses which meet Our Neighbourhood's employment and other development needs identified in the Local Plan and in the Durham City Neighbourhood Plan;
- b) Supporting the sustainability of existing businesses and promoting the vitality and viability of Our Neighbourhood.

Conservation, preservation and enhancement of Our Neighbourhood by:

- c) Harmonising with its context in terms of scale, layout, density, massing, height, materials, colour, and hard and soft landscaping;
- d) Conserving and enhancing **the significance of** (L8a) the setting, character, local distinctiveness, important views, tranquillity and the contribution made to the sense of place by Our Neighbourhood's designated and non-designated heritage assets;
- e) Protecting and enhancing the diversity of Our Neighbourhood's natural environment in terms of biodiversity / geodiversity, designated wildlife sites and protected species, seeking biodiversity net gain wherever possible.

The responsible use of resources and increase in resilience to climate change by:

- f) Maximising opportunities for the redevelopment of brownfield sites and vacant or under-used buildings;
- g) Efficiently utilising land, energy, and water and incorporating use of local and renewable building materials through sensitive design, layout, density and orientation;
- h) Securing, wherever possible, on-site renewable energy generation, minimising energy consumption and carbon emissions, and securing the local sharing of technologies such as district heating schemes;
- i) Avoiding of air, land and water pollution and maximisation of waste avoidance, reuse and recycling in both construction and the lifetime of the operation;
- j) **Avoiding sites in the Flood Zones 2 and 3, and incorporation of the sustainable urban drainage system (SUDS) to achieve improvements in water quality, aquatic ecosystems, and habitats in order to increase resilience to climate change.**

Applying the Sequential Test and if necessary the Exceptions Test (as required by paragraphs 158, 159 and 160 of (para nos removed from policy text on advice of C Dillon 16 Sept 2019) the NPPF) with the aim of directing development away from the Flood Zones 2 and 3 where possible and necessary, taking into account the level of flood risk vulnerability for the relevant land uses.(L9)

- k) **Incorporating the sustainable urban drainage system (SUDS) to achieve improvements in water quality, aquatic ecosystems, and habitats in order to increase resilience to climate change.(L9)**

Securing equity and benefit to the local community by:

- k) l) Improving inclusivity by demonstrating a good level of public accessibility and where relevant incorporating seating, **and** public toilets **and/ or public art** (L5b);
- l) m) Securing a design and layout which is capable of reducing crime and/ or the fear of crime, as well as respecting privacy of, and visual impact on, occupiers of neighbouring properties;
- m) n) Ensuring the location and layout of the development maximise public transport, walking and cycling opportunities, and provide paving, lighting and signs which meet all needs, including those of people with disabilities, older people, and

children.

- o) **Using developer contributions, subject to viability considerations, to provide public art on or near the development site.** (L5b)

Justification

4.16 Sustainable development policy S1 sets out the economic, social and environmental criteria that development proposals will be required to meet. S1 is the first policy of the Plan for the following reasons;

1. emphatic championing of the vision of a sustainable future for the City
2. support for developments that achieve high levels of sustainability
3. consistency provided for the other Themes 2 to 6 and the avoidance of duplication

4.17 The 13 14 elements included in Policy S1 have been placed in four groups to reflect the strong views received during the development of the plan. They are:

- Promotion of economic well-being
- Conservation, preservation and enhancement of Our Neighbourhood
- The responsible use of resources and increasing resilience to climate change
- Securing equity and benefit to the local community

4.18 Within the scope of each of these groups there are strategies, plans, policies, and advice already in place which emanate from national, regional and local bodies which are given local application throughout this Neighbourhood Plan.

Promotion of economic well-being

4.19 These matters are covered in detail in Theme 3: A City with a Diverse and Resilient Economy. Aspects that relate specifically to the responsible use of resources are included here.

Conservation and enhancement of Our Neighbourhood

4.20 These matters are covered in detail in Theme 2a: A Beautiful and Historic City – Heritage and in Theme 2b: A Beautiful and Historic City – Green Infrastructure. Aspects that relate specifically to the responsible use of resources are included here. **Both the NPPF and Historic England have advised that conservation and enhancement go hand in hand.** (Added following discussion with C Dillon 16 Sept 2019)

The responsible use of resources and increasing resilience to climate change

4.21 In addition to the protection and enhancement of green assets (covered in Theme 2b: A Beautiful and Historic City – Green Infrastructure), there are four key environmental sustainability issues relevant to Our Neighbourhood: resilience to climate change, air quality, water quality and flood risk, as fully set out in Figure 1.

Securing equity and benefit to the local community

4.22 These matters are covered in detail in Theme 6: A City with an Enriched Community Life and Theme 4: A City with Attractive and Affordable Places to Live. Aspects that relate specifically to the responsible use of resources are included here.

Figure 1: Key Resource Sustainability Issues The Climate Crisis and the Neighbourhood Plan (SEM16)

Resilience to climate change

1. The NPPF (Chapter 14) covers 'Meeting the challenge of climate change, flooding and coastal change'. It notes that

Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.

Proactive strategies are needed to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

2. Durham County Council has addressed sustainability in its 'Climate Change Strategy and Delivery Plan' (County Durham Environment Partnership, 2015a,b). This key document provides a context for consideration of sustainable development in the Durham City Neighbourhood Plan and the two documents are complementary when taken together. The strategy has seven key themes; the relevant ones to this issue are:

- A low carbon economy including: encouraging green jobs, technology innovation (e.g. micro/community energy generation) and green tourism
- The built environment including: the challenge to ensure current buildings and businesses are energy efficient and to encourage uptake of Sustainable Urban Drainage
- The natural environment including: protecting and enhancing the network of green spaces and corridors, enhancing biodiversity and ensuring more resilience to climate change, encouraging water management
- Transport and infrastructure including: promoting travel choices and alternatives to private motor travel, and to diesel and petrol cars (e.g. providing electric vehicle charging points)
- Community engagement: commitment of local people to successful delivery of a low carbon future.

The Delivery Plan states that the Council wants to engage with residents, groups and businesses so as to successfully deliver the Strategy.

3. The Council further supports sustainability in the 'Sustainable Communities Strategy for County Durham 2014-2030' (County Durham Partnership, 2014). Relevant aspects include: 'Altogether greener' - deliver a cleaner and more attractive sustainable environment; reduce carbon emissions and adapt to the impact of climate change. The County Durham 'Green Infrastructure Strategy' (Durham County Council, 2012a) supports green infrastructure which is important to manage flooding and to help to mitigate the effects of climate change. Again, the two strategies form an essential context for the consideration and promotion of sustainable development in this Plan.

Air quality

4. The government has produced a 'Draft UK Air Quality Plan for tackling nitrogen dioxide' and outlined a Clean Air Zone Framework (Department for Environment, Food and Rural Affairs and Department for Transport, 2017a,b). The aim of the draft Air Quality Plan is to reduce concentrations of Nitrogen Dioxide around roads and to achieve the statutory limit values for the

whole of the UK within the shortest possible time. Local authorities are required to take the lead in tackling this by establishing Air Quality Management Areas, where applicable, and drawing up an action plan detailing remedial measures. A Clean Air Zone is

an area where targeted action is taken to improve air quality [from all sources of pollution] ... in order to shape the urban environment in a way that delivers improved health benefits and supports economic growth. '... [with] measures to accelerate the transition to a low emission economy ... and restrictions to encourage only the cleanest vehicles to operate in the city. (Department for Environment, Food and Rural Affairs and Department for Transport, 2017a, p.1,2)

5. Durham County Council declared an Air Quality Monitoring Area in May 2011, extended in July 2014, for those parts of the City where air quality is a risk to human health (i.e. the A690 from Gilesgate roundabout to Stonebridge; Gilesgate Bank (leading to Sunderland Road and Marshall Terrace); New Elvet; Claypath; Framwellgate Peth). In order to address the issues an Air Quality Action Plan was approved in June 2016 (AECOM, 2016). In support of the policy, Theme 5: A City with a Modern and Sustainable Transport Infrastructure promotes and supports alternatives to private motor vehicles, i.e. walking, cycling and use of public transport.

Water quality

6. The River Wear lies in the Northumbria River Basin District. A management plan for this river basin has been produced (Environment Agency, 2016). The purpose of a river basin management plan is to provide a framework for protecting and enhancing the water environment through land-use planning. Neighbourhood plans need to ensure that developments do not negatively affect, either directly or indirectly, the quality of the water environment, and where possible reduce the impact on the water environment.

Flood risk

7. The River Wear flows through Our Neighbourhood and there are Zone 3 Flood Risk areas on both banks: historically there have been serious floods every few years. A map of the flood risk at a specified postcode can be seen at <https://flood-warning-information.service.gov.uk/long-term-flood-risk/map> The NPPF (para. 155 to 165) and Planning Practice Guidance on 'Flood risk and coastal change' cover the approach to development and flood risk and the Environment Agency has produced a flood map for planning (currently in beta version). The NPPF (para. 157 to 164) advocates a sequential approach to the allocation of sites for future development and/or regeneration, in which areas of very low, or no, flood risk are sought as a priority. The Flood Zones comprise:

- Zone 3b - functional floodplain
- Zone 3a - high probability of flooding
- Zone 2 - medium probability of flooding
- Zone 1 - low probability of flooding

The sequential test requires that:

1. The overall aim of decision-makers should be to steer new development to Flood Zone 1.
2. Where there are no reasonable available sites in Flood Zone 1, decision-makers should take into account the flood risk vulnerability of land uses and consider reasonable available sites in Flood Zone 2.
3. Only where there are no reasonably available sites in Flood Zones 1 and 2 should decision-makers consider the suitability of sites in Flood Zone 3, taking into account the flood risk

vulnerability of land uses.

Typically, residential development is considered 'more vulnerable' for planning purposes, whereas commercial development will fall into 'less vulnerable'. Where a risk of flooding has been identified within a site, it will be necessary to incorporate design measures to ensure that this is mitigated safely, and does not result in increase in flood risk elsewhere. In our Neighbourhood Plan no designated housing sites lie within 'Zone 3a High probability of flooding' and 'Zone 3b The functional floodplain' and no designated economic sites lie within 'Zone 3b the Functional floodplain'.

8. Durham County Council has a statutory requirement to consider the risk of flooding when determining where, and what type of development should be allowed within the County. The Council's strategic flood risk assessment ([Golder Associates, 2010](#) [AECOM, 2018](#) (L5b); Durham County Council, 2016e; Durham County Council, Regeneration and Local Services, Technical Services, 2016) has the primary purpose of providing an overview of areas in County Durham that will be susceptible to flooding in a range of predictable flood events. As well as river flooding, parts of Our Neighbourhood are at risk of surface water flooding when heavy rainfall causes flooding from sewers, drains, groundwater, and runoff from land, small watercourses and ditches. [It is important to follow the principles of sustainable drainage and water management in order to meet these challenges.](#) (L11)

9. The Durham City Regeneration Masterplan (Durham County Council, 2014) outlines a number of implementation projects and actions for Our Neighbourhood (a subset of the Durham City area covered by the Masterplan). Ones relevant to flooding are: Modern infrastructure - flood mitigation measures with the Environment Agency. The saved policy U9 from the City of Durham Local Plan states that developments affecting watercourses are only permissible if they do not result in flooding or increased flood risk elsewhere, do not result in pollution of the watercourse, do not adversely affect nature conservation interests and the appearance of the landscape, and the environmental impact is properly assessed. This has informed policies in our Neighbourhood Plan, [but reflecting the higher standards that are now in place since policy U9 was published.](#) (L5b)

Policy S2: The Requirement for Masterplans

A masterplan for all [large major development](#) (L5b, L9, L17) sites will be required [where new development presents issues about the disposition of buildings and traffic within the site or would have a major impact on adjacent areas or would be intrusive in views of the World Heritage site or the surrounding landscape of the City.](#) The master plan will have to be developed through a process of public consultation and set out the overall layout and style of the proposed development, including the main uses to which the site will be put. [to ensure the highest quality of design in our historic neighbourhood](#) (L18) [and to prevent large-scale change through piecemeal development](#) (L2). [Masterplans will be subjected to public scrutiny as part of the planning application process](#) (L5b); this might be part of an outline planning application (L9), but in any event it is important to agree the masterplan before full planning consent is given (L8a). [The masterplan will be taken into account as a material planning consideration when applications and variations are being considered.](#) (Text further revised after discussion with C Dillon 16 Sept 2019)

Masterplans must address the following issues in so far as they are relevant to the particular development site (L5b):

- Design and disposition of the buildings on the site;
 - Access to the site and traffic arrangements within it;
 - Impact on the amenities of neighbouring areas, particularly in Conservation Areas;
 - Impact on views and setting of the World Heritage Site.
- a) to respect the scarcity and quality of land by meeting the required level of job creation per unit of land to be developed; and ensuring that individual development proposals contribute satisfactorily to the total jobs intended to be created on employment sites; and
- b) to demonstrate that it adds distinction to the City's landscape and townscape within the site through adherence to the masterplan's physical design guidelines; and
- c) to minimise any impact on views and setting of the World Heritage site and to avoid harm to the amenities of neighbouring areas, particularly in conservation Areas; and
- d) to continuously reduce the impact of travel by residents, employees and visitors by improving the provision for walking, cycling and public transport and by limited provision of car parking carried out in accordance with an agreed travel plan; and
- e) to provide continuous, direct, safe and attractive pedestrian and cycle routes to the city centre, and to the heart of neighbouring housing areas high levels of permeability within, to and from the site through safe and attractive pedestrian and cycle routes: and
- f) to contribute to well-being both within and adjacent to the site by the provision and maintenance of green infrastructure for the enjoyment of residents, employees and the public, ensuring access for all, especially those with special needs. (All text transferred from E1 in response to L5B and amended following further discussion with C on 16 Sept and the NPWP on 17 Sept)

Justification

4.23 The importance of the preparation of a masterplan for large major development (L5b, L9, L17) sites and that any such masterplan should demonstrate the highest standards of

sustainability was emphasised in views received during the 2017 pre-submission public consultation. Further comments were received during the 2019 consultation and these have been taken into account in presenting this revised version of Policy S2. What is proposed is a nuanced approach that takes account of the particular characteristics of each site and its impact on Our Neighbourhood.

The NPPF clearly envisages a role for masterplans in its glossary definition of a design code: “A set of illustrated design requirements that provide specific, detailed parameters for the physical development of a site or area. The graphic and written components of the code should build upon a design vision, such as a masterplan or other design and development framework for a site or area.” (L6a)

Major development sites are defined in the glossary of the NPPF. This Neighbourhood Plan adopts a slightly amended version of that so that it does not apply to small housing developments: “For housing, it means development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For mixed and non-residential development it means additional floorspace of 1,000m² or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.” (UK Government, 2015)

Bearing in mind the historic character of Our Neighbourhood, it is appropriate that a separate policy on masterplans (S2) should be included. These need to take account of the World Heritage Site Management Plan and the Conservation Area Appraisals. Large major development sites require masterplans that will ensure avoidance of standard solutions, respect local surroundings, and create the highest quality of design. Masterplans will ensure that buildings and spaces are of the right type and in the right place. They will reduce the risk of inappropriate or piecemeal development and protect views to and from the World Heritage Site and its setting. Access and traffic considerations are important in major developments because of the imperative to create a low carbon economy (SEM16) and to provide access for all, especially for those with special needs such as mobility difficulties and dementia. (C Dillon 16 Sept 2019)

The developer must submit the masterplan and any subsequent changes to public scrutiny to avoid piecemeal development, and to take full account of representations made. This will be done through the normal planning application process, perhaps as part of an outline planning application, within which the masterplan will be a material planning consideration. According to Durham County Council’s website (<https://www.durham.gov.uk/article/11465/What-are-Masterplans->), masterplans do the following:

- Help to guide investment and improvements to towns across the county.
- Help set down how our towns can develop in the future, ensuring that buildings and spaces are of the right type and are in the right place, and complement our existing guidance and documents, including the emerging County Durham Plan.

- Can be taken into account as material planning considerations when applications are being considered. (L5b)

Durham County Council's *Durham City Masterplan Update* (October 2016) refers to the Milburngate House site and states that the Council "will work through the planning process to ensure a high quality and sensitive scheme is developed on this exceptional site within view of the World Heritage Site" (p.8). This is precisely the sort of site to which this policy on masterplans would apply. Other such sites in Our Neighbourhood are Aykley Heads, Mount Oswald, Mountjoy, Hild/Bede and Elvet Riverside; others might become available in the future.