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Strategic Planning
County Hall
Durham
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Our ref: NA/2009/103652/OR-25/PO1-L01
Your ref:
Date: 17 February 2020

Dear Stuart

Durham City Neighbourhood Plan proposal under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012 and the Localism Act 2011

Thank you for consulting the Environment Agency on the Draft Neighbourhood Plan for the City of Durham. We aim to reduce flood risk, while protecting and enhancing the water environment. On this basis, we have some specific comments for you about your plan proposal.

1. Flooding

We specifically support Policy S1. However, we would like to see the inclusion of text stating that any development will not increase flood risk elsewhere and that it will reduce flood risk overall. Also, we would like to see the inclusion of text stating that any development which is located near to a watercourse or to Flood Zones 2 and 3 will take a proactive approach to mitigating and adapting to climate change and will include appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts.

We support the fact that all allocated sites are located within Flood Zone 1. Although identified sites D1.5, D1.6 and Blagdon Depot do fall within Flood Zones 2 and 3, we welcome the fact that they will not be formally allocated until flood risk issues have been resolved satisfactorily.

The neighborhood plan should seek to steer development away from areas at risk of flooding. However, if you wish to formally allocate any sites in Flood Zones 2 and 3 within your Neighbourhood Plan, the Sequential Test and where appropriate, the Exception Test should be undertaken. A Strategic Flood Risk Assessment (SFRA) should be prepared and form part of your evidence base.

2. Biodiversity

We would advise a slight change of wording to Policy S1 (part e) to ensure '*you achieve biodiversity net gain*' in order to reflect the objectives of the National Planning Policy Framework. This would also reflect the Government's forthcoming Environment Bill which advocates the achievement of biodiversity net gain in all development proposals. It would also be consistent with the Government's 25 Year Environment Plan.

3. River Wear - Water Quality

We welcome the inclusion of the information about the River Wear in Section 6 of your plan (on page 26). This watercourse is classified within the River Basin Management Plan (RBMP) as having moderate status. Developments within or adjacent to this watercourse should not cause further deterioration and should seek to improve the water quality based on the recommendations of the RBMP. An assessment of the potential impacts of the neighbourhood plan on this

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watercourse under the Water Framework Directive (WFD) should be included within any SEA/SA appraisal.

Whilst we agree in general with this section (6) it needs a little more clarification as the sentence '*and where possible reduce the impact on the water environment*' could be interpreted as meaning that deterioration to the water environment would be acceptable. This is not the case. The WFD does not allow the deterioration of the water environment. Your statement must be changed or reworded to reflect this more clearly. In addition to this, the River Wear is a WFD waterbody. Planning should aim to make improvements to the river to help it, or enable it to achieve its objectives as set in the RBMP. Objectives for the River Wear are to 'achieve good ecological potential' by 2027. No action must be allowed that would prevent the waterbody from being able to achieve its objectives.

With regard to any extension of the World Heritage Site, consideration must be given to the WFD and the associated implementation of measures required to achieve environmental objectives or targets for the river and its catchment. Such measures include improving fish passage.

4. River Wear - Description

The description of the River Wear corridor in Section G2.1 (page 60) should ideally include reference to the river being a natural main river protected by the WFD. We would welcome the inclusion of text encouraging opportunities to enhance the river corridor where possible throughout the city and in to the rural area upstream and downstream. Enhancements along the river and its corridor could be important to achieve net gain in biodiversity through planning. We would advise that Section G2.1 includes reference to water quality and flood prevention measures, specifically the WFD failures on this waterbody should also be specified and addressed in the plan.

5. Green and Blue Infrastructure

All reference to "Green Infrastructure" should be changed to "Green and Blue Infrastructure" throughout to reflect the significance of the water environment in the plan area. For example, Policy G1 (page 56) should be changed to: Protecting and Enhancing Green and Blue Infrastructure. Blue infrastructure refers to water elements in the environment, such as rivers, canals, ponds, wetland and floodplains.

It would be useful to have an accompanying map with the description of Local Green Spaces on page 72. Our suggestion is that this could be further developed by indicating areas of connectivity for blue and green corridors between the sites shown, and relating this to Policy G3 (Creation of the Emerald Network) and G4 (Enhancing the Beneficial Use of the Greenbelt).

If you have any questions about the content of this letter please contact me using the details below.

Yours sincerely

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