

## CHAPTER 2: INTRODUCTION BACKGROUND

### 2.1 HISTORY AND CONTEXT

2.1 Durham City has been a highly significant place in County Durham, the North East region and the country for over 1,000 years as the home of Durham Cathedral, and for over 180 years of the University of Durham. Under the 1974 reorganisation of local government in England Durham City became the county town of a County Durham much reduced in population although increased in area. This new county was administered by a county council and eight (later seven) district councils. This system was abandoned in 2009 when the county and district councils including the City of Durham Council were abolished to be replaced by a single 'county unitary authority'.

2.2 The Durham City Neighbourhood Planning Forum started as a group of volunteers, people who lived, worked or had businesses in the City. They were concerned about the future of the City and saw the potential in the Localism Act which introduced new rights and powers which local communities can use to shape and permit additional new development. In areas with a Town or Parish Council, this work is done by those bodies. Elsewhere a Neighbourhood Planning Forum can be set up. Most of Durham City **is was at that time** not parished and therefore there **is at present was** no local council to undertake the work of preparing a neighbourhood plan. **Since May 2018 a new City of Durham Parish Council has been in place and is the successor body to the Forum.**

**In July 2013** The group of volunteers **therefore** applied to Durham County Council to set up a Neighbourhood Planning Forum and this was approved by the Council on 16 January 2014. The volunteers then became part of the membership of the Forum. In the Forum's priority consultation (Durham City Neighbourhood Planning Forum, 2015) very strong views were received from the public about planning and planning decisions. The Forum **takes took** this as a clear message to deliver a plan which has the vision and the policies to ensure the protection of the fabric of the City and the well-being of the people who live, work and visit it.

2.3 The area covered by the Neighbourhood Plan is not the whole urban area of Durham City. It is for parish and town councils to prepare neighbourhood plans if desired, and there are parish councils for the Belmont and Framwellgate Moor parts of the City. Although neither **is was** preparing a neighbourhood plan **at present**, it was felt that the issues that might be most important in those areas are different from the issues facing the historic core of the City. Similarly, the un-parished Gilesgate and Newton Hall areas have their own distinct histories and issues meriting particular attention through a local neighbourhood plan if that is the wish of the Gilesgate or Newton Hall residents and businesses.

2.4 Accordingly, the area covered by the Neighbourhood Planning Forum - 'Our Neighbourhood' - comprises the electoral divisions of Nevilles Cross; Elvet & Gilesgate; and the part of Durham South on the city side of the River Wear, as shown on **the Proposals Map 1** below (<http://npf.durhamcity.org.uk/the-plan/maps/>). Although 'Our Neighbourhood' is only part of the built-up area of the city, it does contain the World Heritage Site, the city centre, the University, the hospital, the two

conservation areas and the main bus and rail stations. It is therefore an important part of the city and needs a progressive and imaginative neighbourhood plan.

## Proposals Map 1: Map of Our Neighbourhood

### 2.2 CHALLENGES

2.5 In the 1960s major developments such as the new County Hall, Police Headquarters, Passport and National Savings offices brought very welcome extra employment opportunities to the City, especially in the context of the subsequent loss of nearly all of County Durham's traditional coal, steel, railway, and heavy engineering industries. Concomitant pressures on the special qualities of the City's built environment and arising from increased vehicular traffic are key issues for Our Neighbourhood.

2.6 Durham University's expansion from about 3,000 students in the early 1960s to 15,500 16,170 in Durham City today has added much economic benefit as well as prestige to the City. However, a commensurate increase in university accommodation has not been provided and many family homes have been converted into student accommodation to the extent that in several areas permanent residents are a minority and in some a rarity.

2.7 This change in property use means that large areas of the City are predominantly populated by young adults for half of the year and virtually empty the other half with consequent effects on local shops, facilities and community cohesion. The local retail offer has suffered from a loss of independent family-friendly shops and department stores. Leisure facilities are geared to the evening economy. The City has lost its internationally renowned ice rink, its multi-screen cinema (though this is currently being replaced), much green space and sporting facilities, youth clubs and scout and guides groups. Schools, doctors, libraries and other public services are affected by the distorted population structure of the City. The University has recently published a Strategy and Estates Masterplan (Durham University, 2016, 2017a) setting out its intention to grow in student numbers to a total of 21,500 in Durham City by the year 2026/27. This raises major issues around the capability of the city – socially, economically and environmentally – to accommodate significant additional pressures on the housing stock, local services, the retail offer, pedestrian congestion, and community balance.

2.8 The green landscape setting of the World Heritage Site is of paramount significance in planning the future development of Durham City. A designated green belt surrounds the built-up area of the City. Its purpose is to check sprawl; prevent Durham City from merging into neighbouring towns and villages; safeguard the surrounding countryside from encroachment; preserve the setting and special character of Durham City; and assist regeneration by encouraging the recycling of derelict and other urban land.

2.9 The River Wear cuts through Our Neighbourhood so areas within the river's floodplain and associated flood zones are at risk of flooding (NPPF, paras 100-104, Planning Practice Guidance 'Flood risk and coastal change'). Therefore, 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'. Because of Durham City's location within a bowl of surrounding hills, Our Neighbourhood is also vulnerable in certain areas to flooding caused by surface runoff. **As noted in the County Durham Plan Issues and Options Preferred Options consultation document (Durham County Council, 2016c; p.18, para. 3.26) environmental designations and physical constraints such as flood risk and topography limit the areas of land that can be allocated for development.**

2.10 County Durham has a higher level of obesity (27.4%) and excess weight (72.5%) than the England average (23% and 65% respectively) and a lower level of physical exercise (52.2% compared to 56%) (Durham County Council, 2015c, p.10). Overweight or obese individuals have increased risks for health problems such as heart disease, Type II diabetes, some types of cancer, and psychological and social damage. Planning can help to address this issue by supporting and encouraging an environment that enables physical activity such as walking, cycling and sports.

2.11 The above special aspects of planning Durham City are the key challenges facing Our Neighbourhood. Whilst there are many other issues and challenges which are addressed in the following sections of our Neighbourhood Plan, what stands out as the principal task is fulfilling Durham City's potential for providing an exceptional living, working and visiting environment.

## **2.3 RELATIONSHIP TO THE COUNTY DURHAM LOCAL PLAN**

2.11 The County Durham Local Plan seeks to address these challenges at a strategic level leaving the Forum to develop appropriate more detailed, **finer-grained** local policies. **At the time of writing (July 2017) A new County Local Plan is being prepared and at the time of writing (October 2018) has reached the stage of Preferred Options (Durham County Council, 2018c). following the withdrawal of the previous draft Plan in September 2015. The County Council has consulted in June- August 2016 on 'Issues and Options' for the new County Plan, and hopes to be consulting very shortly on 'Preferred Options'.** Pending the adoption of the County Durham Local Plan, **our this** Neighbourhood Plan is intended to be consistent with the emerging County Local Plan, the saved policies of the City of Durham Local Plan and the **overriding** provisions of the National Planning Policy Framework (NPPF) **of July 2018 and of up-dated** Planning Practice Guidance (PPG).

## **2.4 SCOPE OF THE DURHAM CITY NEIGHBOURHOOD PLAN**

2.12 A 'neighbourhood plan' is a statutory planning document: it sets out policies in relation to the development and use of land in the whole or a particular part of the plan area. In our Neighbourhood Plan these are identified as 'Planning Policies and Proposals for Land Use' in Chapter 4 of this document. Development and conservation proposals in Our Neighbourhood will be determined in accordance with the planning policy framework of the Durham City Neighbourhood Plan, county and national planning policies and any other material considerations. The proposed planning policies set

out here are intended to meet Plan objectives and help realise the vision for Our Neighbourhood and its communities over the period to 2033 2035.

2.13 Our The Neighbourhood Plan also includes public consultations raised wider issues than those directly relating to the development and use of land. These issues cover a number of the community's key concerns and priorities for Our Neighbourhood, and are also applicable to the vision and objectives of our the Neighbourhood Plan. These are identified in a separate document as 'Community Engagement in the Future of Our Neighbourhood'. as 'Projects to Improve the Economic, Social and Environmental Realm' in Appendix A of this the document. These projects are intended to encourage action and influence decisions taken by relevant bodies. Whilst these wider issues are important, in legal terms only the planning policies and proposals in the Neighbourhood Plan itself have 'statutory weight'. Durham County Council as the Local Planning Authority will only have regard to the adopted planning policies and proposals of the Durham City Neighbourhood Plan when determining planning applications. It will be the responsibility of the Durham City Parish Council, together with the many partnerships, community groups and other appropriate bodies to take forward the projects to address the community's wider issues. Such projects that form part of an integrated package with planning policies and proposals, sit within a neighbourhood plan, and which have been the subject of community consultation, are likely to be given greater status by relevant bodies when it comes to securing support and possible funding.

## 2.5 HOW WE HAVE ARRIVED AT THE PLAN POLICIES

2.14 There are three parts to the process we have followed in arriving at the Plan's policies: community consultations; existing planning policies; and sustainability testing.

### Community Consultations

2.15 Community consultation and involvement have been sought from the outset of this plan for Our Neighbourhood, through public meetings, leaflets, surveys, community events, activities with schools and a stall in the Market Place.

2.16 The planning policies and proposals in our Neighbourhood Plan and the 'Projects to Improve the Economic, Social and Environmental Realm' in Appendix A have all been drawn directly from what people, including children, have said in response to the open questions:

- What is good about Durham City?
- What is bad about Durham City?
- What needs to change?

2.17 The published engagement activities surveys comprise:

- a survey of the community's priorities ( Durham City Neighbourhood Planning Forum, 2015)
- a survey study of children's views via a series of meetings (Durham City Neighbourhood Planning Forum, 2016a)

- a collection of people's views on survey on improvements to the walking environment (Durham City Neighbourhood Planning Forum, 2016b)
- an e-questionnaire study of the views a survey of businesses in Durham City (Durham City Neighbourhood Planning Forum, 2016c)
- a questionnaire study survey of views on arts and culture (Durham City Neighbourhood Planning Forum, 2017)

2.18 Responses have been grouped into the most recurring concerns and suggestions, in descending order of popularity. Many relate to what might be called 'governance' (that is, who makes the decisions, and how) and this is acknowledged to be at the heart of issues nationally. The powers embodied in neighbourhood planning do address this issue so far as local plan-making is concerned. Beyond 'governance', the responses are grouped into topics - for example housing, economy, traffic - exactly as written or noted. This has ensured that the voices of the people participating in all of the consultation opportunities have been the determinants of emerging policy ideas and projects.

2.19 The topics emerged as key themes for the Plan, and each has its 'champions' within the team of volunteers working on our the Neighbourhood Plan. Ideas for possible policies under each theme have been debated and revised, and always tested against the results of public consultations. There are constraints around what planning policies can address, notably that they have to be about the use and development of land, but we can be sure that the wishes expressed through public consultations and engagement have been incorporated as far as is possible either in 'Planning Policies and Proposals for Land Use' (Chapter 4) or in the companion document 'Community Engagement in the Future of Our Neighbourhood'. 'Projects to Improve the Economic, Social and Environmental Realm' (Appendix A).

*Drawing by Year 6 pupils from St. Margaret's C of E Aided Primary School, Durham City, during the public consultation with children and young people, 2015*

## Existing Planning Policies

2.20 In the absence of an up-to-date County Local Plan covering Our Neighbourhood, the prevailing planning policies for deciding applications for development are the "saved" policies of the City of Durham Local Plan 2004 (City of Durham Council, 2004). The saved policies are those which were assessed in 2007 as being compliant with the National Planning Policy Framework at that time, and more recently later by the County Council in the light of updates to the Framework through National Planning Practice Guidance (Durham County Council, 2015a; Durham County Council, Planning Services Regeneration and Economic Development, 2016). A revised assessment will be necessary in the light of the revised NPPF issued in July 2018. Many of the saved policies relate to Durham City and the Forum we considered them very carefully. We It was concluded that they provide a very useful starting point but no more than that, as it is essential to develop neighbourhood plan policies that reflect up-to- date information and analysis, current planning legislation and thinking, the issues and hopes arising from public consultations, and the pointers to be obtained from the emerging stages in the preparation of the County Durham Local Plan.

## Sustainability Appraisal

2.21 In brief, Sustainability Appraisal (SA) is a process for assessing the social, economic and environmental impacts of a plan or programme and aims to ensure that sustainable development is at the heart of the plan-making process. Strategic Environmental Assessment (SEA) is also a systematic process to predict and assess potential impacts but focuses on specific environmental issues to ensure they are considered and integrated at the earliest opportunity.

2.22 Unlike a local plan, there is no legal requirement for a neighbourhood plan to have an SA as set out in Section 19 of the Planning and Compulsory Purchase Act 2004 (UK Parliament, 2004). However, a 'qualifying body' such as the Durham City Neighbourhood Plan Forum must demonstrate how its plan will contribute to achieving sustainable development. This is a 'basic condition' (condition d) of the neighbourhood planning process (UK Parliament, 2011). As such, undertaking a combined SA/SEA is a robust approach to demonstrably meet this condition. Another basic condition (condition f) the Durham City Neighbourhood Plan Forum has to meet is not to 'breach, and to be otherwise compatible with, EU obligations' (UK Parliament, 2011), in this case the EU directive on the assessment of the effects of certain plans and programmes on the environment (European Union, 2001).

2.23 Hence, SEA Screening to determine if the Plan was likely to have significant environmental affects was undertaken as a minimum requirement. A Screening Opinion was drafted by the Durham City Neighbourhood Planning Forum and **we the conclusion was concluded** that the sites **we had in mind** were unlikely to give rise to significant individual or cumulative adverse environmental effects. The Screening Opinion was sent to the three statutory consultees (i.e. the Environment Agency, Historic England and Natural England) in December 2016. The Environment Agency responded that the need for an SEA would not be triggered if we avoided Flood Zones. Natural England confirmed that the proposals would not have significant effects on sensitive sites that Natural England has a statutory duty to protect. However, Historic England concluded that **our the** Neighbourhood Plan should be the subject of an SEA in accordance with the Strategic Environmental Assessment Directive. The reasons for their decision were essentially that the Durham City Neighbourhood Plan will come into effect before the County Durham Local Plan and therefore will form the most up to date development plan document for the area; and that the potential impacts of **our its** policies need to be assessed and evidenced for this area which has such a high number of designated heritage assets including sites of national and international significance.

2.24 The Forum accordingly determined **to carry out a combined Sustainability Appraisal and that a Strategic Environmental Assessment should be carried out**. This proved to be a rigorous technical exercise which is documented in the accompanying 'Sustainability Report' and 'Conditions Report'.

2.25 The planning policies put forward in this Durham City Neighbourhood Plan are thus the outcome of community consultations; the assessment of the relevance of 'saved' policies' and available pointers from the emerging County Durham Local Plan; and a full appraisal to ensure that the 'golden thread' of sustainability is achieved.