

County Durham Plan

ADOPTED 2020



Altogether better



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Foreword

In my time as Cabinet Member for regeneration and economic development I have experienced first-hand the many issues and opportunities that exist for the county.

Austerity has certainly had an impact on some of our more deprived communities and in particular welfare reform and changes to housing benefits. Like the rest of the country we are seeing increasing demands on public services - and the pressure this places on our communities - an ageing population and significant changes in our local economy with high street banks, shops and pubs struggling.

However there is much to be positive about in County Durham. I have spoken to businesses, developers and investors who are bringing forward exciting and significant opportunities, creating much needed jobs and training for our residents. But even better is that we're seeing this right across our county with Auckland Trust's exciting developments in Bishop Auckland including the world class event at Kynren, the opening of Forrest Park at Newton Aycliffe, investment at the former Hawthorn Pit and Cokeworks now Jade Business Park at Murton and the exciting opportunities resulting from a new approach at Integra 61 at Bowburn to name just a few.

Durham City is currently undergoing one of its biggest transformations for many generations. The developments on the riverside will provide new destinations for the city adding to the already fantastic offer available. This will include bringing new cinemas and restaurants to Durham along with city centre living and offices, as well as the jobs that they create. The growth of the university is something I believe will have many positive impacts bringing new businesses, increasing entrepreneurship and enhancing our research and development and scientific base.

The council itself is in the process of moving its headquarters from Aykley Heads providing a once in a generation opportunity to create a new high-tech business park that we hope will eventually create up to 6,000 jobs.

But it's vital that we continue to appreciate that Durham is a small city and any development must be of the highest quality, fit into the local environment and not impact on what makes the city special.

I therefore think the County Durham Plan (the Plan) we are presenting takes us a long way in delivering on some of the key issues I hear from our residents. Delivering not just more jobs, but better paid jobs with better prospects and providing the homes across the county that will meet the needs of our residents as well as their aspirations. Importantly, it seeks to build on the current pipeline of investment into the county which is estimated at over £3 billion and ensure that the confidence is there to deliver these improvements for the benefit of residents of County Durham.

The Plan also seeks to address the needs of our rural communities, Brexit presents uncertainty right across our county but no more so than in our farming communities. We therefore have flexible policies and encouragement for all businesses to develop, recognising in particular the opportunities that the increasing visitor economy will have in the future.

Infrastructure is a key element of the Plan and we need to ensure that together with the new homes, we get the necessary education, health and social provision, as well as improved transport links.

One of the county's biggest selling points is the quality of place and life. Our coast, our dales, Durham City and the Cathedral and our landscape are all assets which we need to continue to protect and enhance.

While the Plan should not be seen as the answer to all of our problems, it seeks to create the conditions and the framework for an ambitious and deliverable future for our residents and businesses.

I am therefore extremely pleased to support the Plan which offers significant hope to our young people, more support for our older people and confidence to our businesses. All whilst protecting and enhancing the environment in which we live.

Councillor Carl Marshall

Cabinet Portfolio Holder for Economic Regeneration

1 Introduction

1.1 A local plan seeks to guide the future development of a place to improve the lives of its existing and future residents. We therefore need a local plan that meets the differing needs of our communities. The county has seen some successful regeneration in the past but our overall economy is the weakest in the North East, itself the poorest performing economy in England. We therefore need an ambitious local plan that promotes quality of life, provides jobs for a flexible and skilled workforce, protects and enhances our special environment and supports our towns and villages.

1.2 Without a local plan development, including housing, will still happen given the context of a growing population and a national housing shortage. The County Durham Plan (the Plan) will therefore give us the ability to guide and direct where it goes and what it looks like.

1.3 The Plan provides the policy framework for the county up to 2035 to support the development of a thriving economy, so that our residents can experience the benefits that ensue as a result. This document sets out how many new homes and jobs we need to plan for and where they will go, what infrastructure we need and how we can protect our important landscapes and habitats. The Plan has been prepared in accordance with the most up-to-date National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

1.4 The NPPF requires all councils to produce a local plan and keep it up-to-date. Since Local Government Review in 2009 we have been using saved policies from the existing local plans produced by the previous local authorities. Without an up-to-date local plan, the council has much less influence over the location of new development and the provision of infrastructure. Not having an up-to-date local plan therefore creates uncertainty and makes it harder to resist inappropriate development and secure new infrastructure such as schools and health facilities. Policies in the Plan cover a wide range of topics and some set the strategic direction for County Durham while others will be used on a day to day basis to help determine planning applications. The list of policies that the council considers to be strategic are set out in Appendix A.

1.5 In a local context, the Plan has regard to the Sustainable Community Strategy (SCS) which is the overarching strategy for County Durham and is published by the County Durham Partnership. It sets out our shared long-term vision for the county, our ambitions for the area and the priorities that partners and communities believe are important. It provides the blueprint to deliver long-lasting improvements and sets the scene for the Plan.

1.6 In addition to the Plan, there will be one other document. The Minerals and Waste Policies and Allocations Document which will complement the strategic minerals and waste policies in this Plan. It will contain detailed development management policies and any non-strategic minerals and waste allocations which are considered necessary to meet the future needs of County Durham and make an appropriate contribution, where necessary, to wider regional and national needs for mineral supply. Once adopted, the policies and provisions of the Minerals and Waste Policies and Allocations Document will replace the remaining saved policies of the County Durham Minerals Local Plan 2000 and the saved policies of the County Durham Waste Local Plan 2005.

Neighbourhood Plans

1.7 Town and parish councils, or constituted community organisations (Neighbourhood Forums) have the ability to prepare further plans and orders that complement the Plan. These powers were introduced to enable communities to get more involved in planning for their areas and consist of the following:

- Neighbourhood Plan – provides local policies for development and use of land in a neighbourhood;

- Neighbourhood Development Order – enables town and parish councils to grant planning permission for certain types of development without the need for people to apply to the County Council; and
- Community Right to Build Order – enables small scale development in communities such as housing or community facilities.

1.8 These tools are designed to be used positively to support planned growth in a local area and build on, and conform with, the strategic needs set out in a local plan, including through additional site allocations. They must also conform with national policy and guidance. We will work together with communities who are developing their community-led plans alongside the Plan, to make sure they complement each other. Once a Neighbourhood Plan has been finalised and following an examination by an appointed examiner, a referendum is held in the neighbourhood area it covers. If it is approved by the community, then it will form part of the development plan and be a key material consideration in the determination of planning applications.

1.9 The NPPF states that strategic plans should set out a housing requirement figure for designated neighbourhood areas. The NPPF notes that, where it is not possible to provide a requirement figure for a neighbourhood area, an indicative figure can be provided, if requested by the neighbourhood planning body. As the Plan allocates sufficient sites to meet housing needs for the county it does not set out housing requirements for designated neighbourhood areas. The council will however on request, provide an indicative housing requirement for neighbourhood areas based on the latest evidence of local housing need and the Plan's spatial strategy and allocations. This neighbourhood housing requirement is a minimum and therefore neighbourhood plans can include additional allocations.

Assessing Impacts

Sustainability Appraisal

1.10 Sustainability Appraisal (SA) is a statutory process integrated into the preparation of all aspects of a local plan. The process assesses the potential impacts of policies and allocations against a range of economic, social and environmental considerations and includes the requirements of Strategic Environmental Assessment legislation. The SA advises on ways in which any adverse effects can be avoided, reduced or mitigated or how any positive effects could be maximised. This helps to shape the Plan and ensure that it is promoting sustainable development.

Habitat Regulations Assessment

1.11 Habitat Regulations Assessment (HRA) is integral to the development of land use plans such as the County Durham Plan as it provides a statutory process⁽¹⁾ to assess the potential impact on Natura 2000 sites. Natura 2000 sites are of exceptional importance in respect of rare, endangered or vulnerable natural habitats and species within Europe. These include Special Protection Areas (SPAs) designated under the EU 'Wild Birds' Directive, Special Areas of Conservation (SACs) designated under the EU 'Habitats Directive', and European Marine Sites (EMS). As the Habitats Directive applies the precautionary principle, plans can only be adopted if no adverse impact on the integrity of site(s) in question is proven. To ascertain this, a Screening Assessment, followed by an Appropriate Assessment, where necessary, must be undertaken.

1 In accordance with [Conservation of Habitats and Species Regulations](#) (2010), which transposes the [EU Habitats Directive](#).

Equality Impact Assessment

1.12 Undertaking an Equality Impact Assessment (EQIA) allows us to assess any risk of discrimination before introducing new policies. Sometimes certain groups, such as Gypsies and Travellers or older people, will be treated differently to ensure that they are not unfairly impacted or that their needs such as in respect of housing can be met. An EQIA has been undertaken at each stage of plan preparation and has been built into the development of the policies and proposals as the Plan has evolved.

Health Impact Assessment

1.13 The Plan plays a key role in shaping the physical environment which can have a significant impact on health and well-being by making it possible for people to make healthier lifestyle choices. Many people in County Durham today live in different social circumstances and experience avoidable differences in health, well-being and length of life. Creating a fairer society is fundamental to improving the health of the whole population and ensuring a fairer distribution of good health. To ensure that health considerations have been embedded into the County Durham Plan a Health Impact Assessment has been undertaken with public health and other health professionals. Recommendations from the Health Impact Assessment have strengthened the policies and provide a strategic direction for decision making on planning applications ensuring that interventions such as encouraging more walking and cycling can help shape health behaviours.

Duty to Cooperate: Cross-Boundary Issues

1.14 One of the changes brought about by the Localism Act 2011 was the introduction of the Duty to Co-operate with neighbouring authorities and key stakeholders when preparing plans. County Durham borders a number of county, district and unitary councils and a National Park Authority. Regular liaison meetings are held with neighbouring councils to inform plan preparation and to ensure that issues of common concern are identified, taken into account and hopefully resolved as the local plan evolves. Notably, the council has developed working groups with the Tyne and Wear authorities and those in Tees Valley, where we have our closest interaction. We also have formal arrangements with authorities in Northumberland, North Yorkshire and Cumbria where specific issues such as minerals and waste are discussed. Our ongoing Duty to Cooperate work has also led to the development of cross boundary evidence bases in the past and has also led to the production of a Joint Local Aggregate Assessment with mineral planning authorities in both Northumberland and Tyne and Wear. Other meetings with statutory consultees such as Historic England and Natural England have been held throughout the process⁽²⁾.

2 [County Durham Plan Pre-Submission Draft](#) (2019).

County Durham Plan Key Diagram and Monitoring

Key Diagram

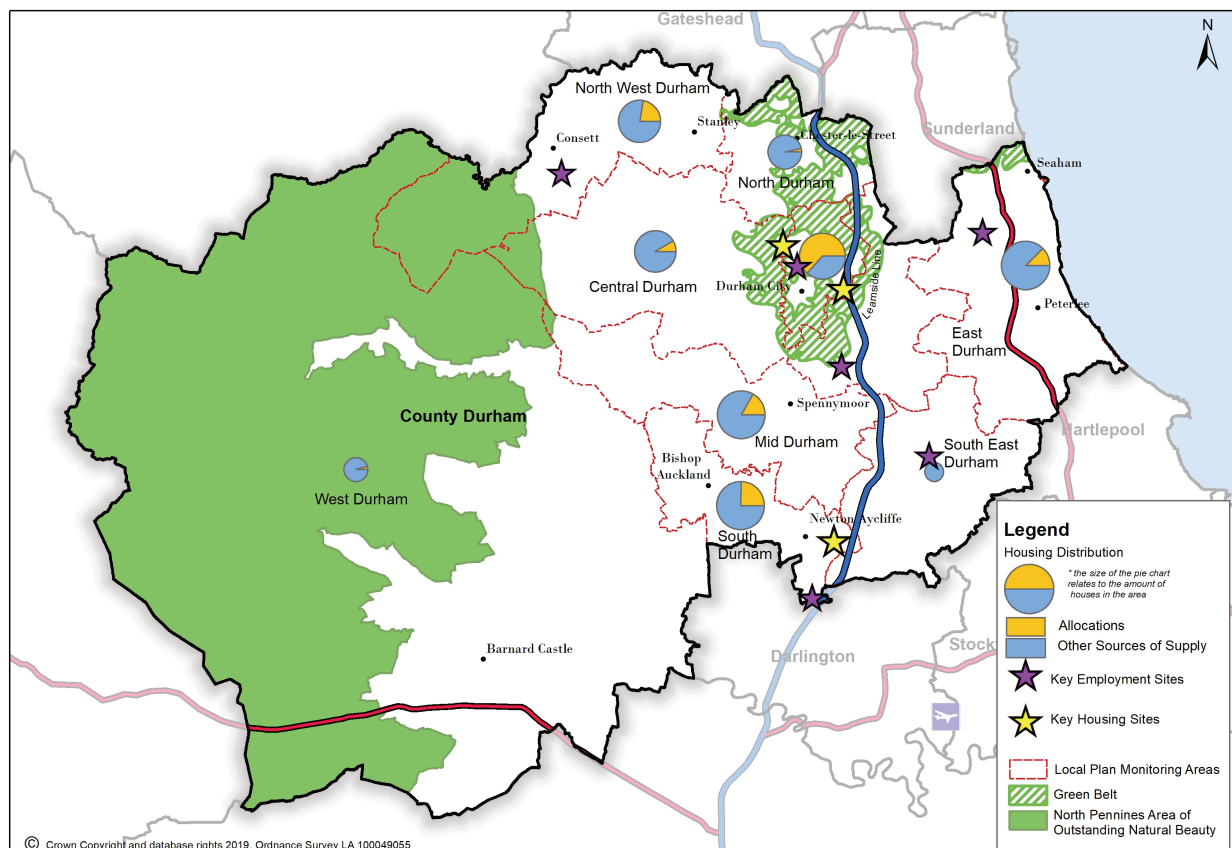
1.15 The National Planning Policy Framework (NPPF) states that broad locations for development identified in a local plan should be identified on a Key Diagram. The Key Diagram for the County Durham Plan is shown below.

Monitoring

1.16 Monitoring the success of the Plan will be important to ensure that it is being delivered and remains effective. It also indicates when policies may need to be reviewed in response to changing circumstances. An Annual Monitoring Report will therefore be produced to measure the effectiveness of our policies.

1.17 In order to aid monitoring and discuss issues across an area the size of County Durham, with its many different communities, it is useful to break the county down into geographical areas which have similar characteristics in terms of their housing, economy and history. We have therefore identified nine monitoring areas which will assist in measuring the success of the Plan's policies. In reality, the boundaries between these areas are not distinct and in some cases, issues overlap as they are not physically discrete. The general extent of the monitoring areas are shown on the Map below.

Map 1 Key Diagram and Monitoring Areas



2 What the County Durham Plan is Seeking to Achieve

2.1 The ambition for County Durham is to build a successful and sustainable future in which all of our residents have the opportunity to access good housing and employment in an environment which delivers a healthy and fulfilled lifestyle.

2.2 The strategy, by understanding the opportunities and needs of all our people as well as the towns and villages to which they belong, seeks to focus on delivering more and better jobs; the delivery of a wide choice of quality homes meeting needs and in locations that reduce the need to travel and where people want to live; protecting and enhancing our high quality built, historic and natural environment; and ensuring that the key infrastructure required to support this growth such as transport, health and education is delivered alongside any future development.

2.3 County Durham has started to turn its economy around, promoting a confident approach to maximising the opportunities that exist in the county. It has attracted investment not usually associated with the county's economic profile and is now seen as a key regional contributor to the economy. This has been possible with the development of key emerging industries, the opening up of strategically important sites and a pipeline of investment at an all-time high. The continued success of Durham University, an increasing diversity in science and high tech industries as well as significant growth and excitement in developing a national and international tourism offer based on the county's heritage, culture and natural beauty, all add to this growing confidence.

2.4 Despite this significant potential for continued success, the county continues to lag behind national and regional indicators in respect of employment and wages. In response the County Durham Plan sets out an ambitious but deliverable vision to build on this optimism and capitalise on the range of opportunities which exist to move the county forward through the Plan period to 2035.

2.5 The many existing locational advantages of County Durham, including the A1(M), A19, A66, and the East Coast Main Line, provide ease of movement to the rest of the region and country for both business and tourism. This, coupled with good access to ports on the North East coast and to three airports within one hour of travelling time provide direct links to Europe and the rest of the world. The A1(M) and A19 in particular have seen significant investment over the last five years as well as having supported Durham's manufacturing firms in respect of the exporting of goods and expertise.

2.6 We have a strong rural economy with some significant industries located within our rural areas, which we need to continue to support to enable their growth and continued success. Farming and food production are an important part of the rural economy. The Plan needs to be sufficiently flexible to allow this sector to diversify and remain resilient.

2.7 We also have a number of larger towns such as Barnard Castle, Consett, Spennymoor, Peterlee, Stanley, Bishop Auckland, Newton Aycliffe and Crook which all provide a key location for local and regional businesses contributing to the employment base and local economy.

2.8 Tourism across the county continues to grow year on year with new attractions developing in the Durham Vale, rural west and east coast. The ongoing roll out of broadband provides a significant opportunity for new industries and businesses to locate in rural areas and for home working to become a viable option too. These sectors can all provide sustainable employment and future opportunities meaning Durham's economy is well positioned to grow. To enable this it is vital to have flexibility in our policies and the necessary infrastructure to strengthen the opportunity and meet the needs of our communities balanced against respecting the amenity, character and beauty of the places where they are proposed.

2.9 Previous plan strategies for the county have largely focused on the regeneration priorities at that time. In addition, planning strategies were largely defined by Government regeneration initiatives aimed at reversing decline with significant public funding in order to mitigate the historic collapse of

heavy industry and the impact this had on residents and communities evidenced by some of the worst health and deprivation indicators in the country. The public sector remains important to the success of the county however this Plan proposes better co-operation and an improved understanding of private sector investment and business in the face of reduced public sector funding. This process of change is well underway with many positives now realised; the Plan therefore seeks to build on this momentum, providing further confidence in the economy and ensuring that the needs of our residents are met.

2.10 Key employment sectors within the county include financial services and advanced manufacturing, in particular the automotive and transport industries, tourism, healthcare, construction and utilities and communications. Research and development also have a strong presence partly as a result of tapping into Durham University's ambition to work harder for the benefit of the county.

2.11 In allocating new development there is a need to ensure that both the site and the essential infrastructure required to support it are deliverable. Locating jobs in the most accessible and sustainable locations is a key objective of the Plan. Similarly allocating housing close to jobs and services in order to reduce the need to travel and ensuring that existing services are supported is fundamental to ensuring sustainable development. The Plan is also based on the principle of allocating brownfield land first wherever possible, then utilising sustainable greenfield sites, only then considering the release of Green Belt as a last resort and where exceptional circumstances exist. Indeed, a significant proportion of the housing required up to 2035 currently benefits from planning permission or is under construction.

2.12 Regeneration has, in some areas, resulted in recent rapid housing growth which has seen much of the demand in these areas met, whilst in other cases there are sites which have been granted planning permission but have not started due to site issues or viability. As such, any new allocations must seek to increase the range and amount of new housing available and be located in strong market areas and/or where viability and sustainability indicate that the housing will be successfully delivered within the timescales to meet the identified needs of our communities. The Plan reflects this approach by focusing primarily on areas which are both sustainable and deliverable, whilst taking account of pockets of low demand where the importance of facilitating any regeneration opportunities is vital. The result is that most large towns and villages contain an allocation or already benefit from an existing planning permission for housing which will help support their future vitality and will ensure that the range and choice of housing improves, meeting the needs of all of our residents and helping to support our economic ambitions.

2.13 The nature of our town centres presents particular challenges in the context of retail development. Despite recent increases in the number of supermarket developments which have largely met convenience shopping needs, all town centres are suffering some level of decline with the numbers of vacant units and the growth of fast food takeaways affecting the experience and quality of our retail centres. Many now need to diversify including by encouraging alternative uses. Whilst the evidence does not identify a specific need to identify new sites we will continue to support development which adds to their vitality and brings positive uses, to these centres. The Plan also includes flexible policies which will encourage our centres to deliver the services that support our communities by being safe and welcoming including being a focus for leisure and the night time economy and making the most of the assets that our centres do have such as their historic character.

2.14 County Durham has a rich history of mining and mineral working and large areas of the county are underlain by mineral resources of local and national importance. County Durham's many quarries are regionally important producers of aggregates, industrial minerals and other mineral commodities which provide the raw materials for the infrastructure, buildings, energy and goods that society needs. Taking into account that minerals can only be worked where they are found, the Plan will provide for their extraction whilst minimising their impacts on the environment, health and the amenity of local communities.

2.15 County Durham's existing waste management facilities receive approximately 1.5 million tonnes of waste per annum⁽³⁾. Ensuring the sustainable management and use of waste are important aims of the Plan which must also ensure that their operation does not have unacceptable adverse impacts on the environment of the county and the health and the amenity of local communities.

2.16 Our built, historic and natural environment is as diverse as the communities that make up the county and includes a landscape that is celebrated and appreciated by visitors and residents alike. Through consultation the extent to which County Durham residents and businesses value their built, historic and natural heritage has been made clear, and the Plan responds to that. A significant area of outstanding natural beauty, the Durham Castle and Cathedral World Heritage Site, a heritage coast and the Durham Dales provide a backdrop to our towns and villages. Large swathes of high quality landscape means that you are rarely far from being in the countryside. Protection and management of these assets and the widespread and varied ecology runs right through the Plan.

2.17 Culturally the history of the Prince Bishops has helped to define many of the older settlements as well as the communities that live there. Over 90 conservation areas, 226 scheduled monuments and well over 3,000 listed buildings provide a history of Britain from Roman times through early Christianity to the birth of the railways and the start of the industrial revolution. Durham is proud of its heritage and the Plan seeks to protect and enhance all of these assets which make Durham a unique place.

3 [Waste Data Interrogator](#) from Environment Agency (EA) 2016.

3 Vision and Objectives

Spatial Vision

3.1 The key community priorities set out in the County Durham Sustainable Community Strategy (SCS)⁽⁴⁾ draw upon the needs, expectations and aspirations of local communities, groups and partner organisations across the county. The spatial vision for the Plan needs to reflect the SCS and the key challenges and issues facing the county:

Spatial Vision for County Durham

By 2035 County Durham will have a thriving economy, reducing levels of deprivation, social exclusion and joblessness with the associated health and quality of life improvements. It will also be bridging the gap between its economic performance and that of other parts of the North East and the rest of England. It will be a top location for business and tourism, capitalising on its strategic location on the A1(M), A19, A66, East Coast Mainline, its east/west links and its close proximity to Durham Tees Valley and Newcastle International Airports.

The county will comprise of sustainable, balanced and regenerated communities, with key development being located to achieve sustainable patterns of development, ensure the effective use of land and reduce our contribution to climate change and support the vitality and vibrancy of existing centres. All communities and businesses will benefit from an accessible, integrated and sustainable transport system, resulting in increased public transport use and safe, well used and attractive cycling and walking routes.

The county will have an accessible, well designed range and choice of good quality housing, including affordable housing, services and community, leisure and recreational facilities, complementing and contributing to the area's thriving economy and meeting the needs of all existing and future residents. At the heart of communities will be accessible green infrastructure, not only improving the quality of place but people's quality of life and reducing health inequalities. The county's rural areas will be continuing to play a vital role in the county's economy, employment and tourism, including through diversification and embracing the opportunities provided by improved broadband connectivity.

The county will continue to be renowned for its culture and diverse and high-quality built, historic and natural environment. This will be enjoyed, protected and enhanced by ensuring new development adheres to high standards of design and sustainability principles. This will ensure that our environmental resources are secured in the long-term, providing for sustained economic growth, a better sense of place and strong communities. Our environment, communities, businesses and transport infrastructure will be capable of adaptation and be resilient in the face of climate extremes supporting opportunities to establish a low carbon economy.

County Durham will continue to play its role and remain an important source of minerals. Its quarries will continue to produce the steady and adequate supply of minerals, as required. New or extended mineral workings will be guided to environmentally acceptable locations and carried out to the highest environmental standards. County Durham's waste will be viewed as a valuable resource and waste recycling will be an integrated part of daily lives. All our planning functions will aim to drive waste up the waste hierarchy and use resources efficiently. New waste facilities will be built in the right place and at the right time, protecting human health and the environment from waste development.

⁴ [The Sustainable Community Strategy for County Durham 2010-2030](#) (2010).

Objectives

3.2 The strategic objectives are derived from the Vision and focus on the key issues which the Plan needs to address. The objectives provide the broad direction of the spatial strategy and the detailed policies of the Plan and cannot be achieved in isolation.

Objective 1: Economic Ambition - Improve the economic performance of the whole of County Durham by creating more and better jobs, increasing the employment rate and reducing unemployment, thereby increasing GVA (a measure of economic performance), household income, demand for local goods and services and improving the resilience of the county's economy.

Objective 2: Sustainable Communities - Locate new development in areas which offer the best opportunity for sustainable development patterns, including means of travel other than the private car, thus ensuring that new homes and jobs are supported by a high quality environment, services and infrastructure, and in turn new development supports the vitality, viability and economic performance of our towns and villages.

Objective 3: Housing Need - Deliver new, high quality housing, in a range of house types and tenures, that is accessible to, and meets the needs and aspirations of, County Durham's residents (including affordable, families with children, young people, older persons, multi-generational housing, specialist housing, gypsies and travellers and those people wishing to build their own home) while making effective use of the existing stock.

Objective 4: Infrastructure - Enable the delivery of the necessary infrastructure such as transport, health and education, digital and green infrastructure, that is required to support new and existing development and the economic, social and environmental ambitions of the county.

Objective 5: Town Centres - Maintain a clear hierarchy of vibrant, diverse and distinct retail centres that are the focus for commercial, retail, leisure, culture and other appropriate uses.

Objective 6: Rural Economy - Support and improve the rural economy by encouraging diversification, retaining and enhancing key facilities, infrastructure and services while promoting appropriate new development in rural settlements.

Objective 7: Green Belt - Support the aims and purposes of Green Belt and seek to positively enhance its beneficial use, including increased opportunities to provide access, outdoor sport and recreation, to retain and enhance landscapes, visual amenity and biodiversity and/or to improve damaged and derelict land.

Objective 8: Effective Use of Land - Make the most effective use of land, buildings and existing infrastructure, re-using land and buildings that have been previously developed, wherever possible, provided that, in the case of land, it is not of high social, heritage or ecological value and taking into account the need for remediation or the existence of unstable and/or contaminated land.

Objective 9: Natural Environment - Protect, enhance, maintain and manage the county's locally, nationally and internationally important natural environment, including through securing net gains, protecting connectivity and recognising the wider benefits from natural capital.

Objective 10: Built and Historic Environment - Protect and enhance the significance of County Durham's locally, nationally and internationally important built and historic environment, including its wide range of buildings, sites, archaeology, parks and gardens and other heritage assets.

Objective 11: Well Designed Places - Ensure the creation of high quality buildings and places that reflect local distinctiveness, promote sustainability, support the transition to a low carbon future and achieve safe and secure communities.

Objective 12: Raising Aspirations - Encourage greater prosperity by supporting education, training and research establishments that help to raise the aspirations, participation and attainment of young people, re-engage adults with work and lifelong learning and develop workforce skills.

Objective 13: Tackling Deprivation and Inequalities - Ensure that the regeneration needs of County Durham's communities are met in order to reduce deprivation, improve health and address social, economic and environmental inequalities.

Objective 14: Quality of Life - Safeguard, enhance and provide a wide range of educational, social, sporting, health, recreational and cultural facilities, including green infrastructure and natural capital, and seek to prevent and address pollution issues to contribute to the quality of life, satisfaction and health and well being of people who live, work within and visit County Durham, including addressing the needs of those with physical and mental disabilities.

Objective 15: Visitor Economy - Strengthen County Durham's role as a visitor/tourist destination through supporting and enhancing existing attractions, visitor accommodation, townscapes, landscapes and the historic and natural environment.

Objective 16: Adaptation to Climate Change - Adapt to the impacts of climate change and extreme weather conditions by promoting appropriate sustainable urban drainage systems (SUDs) in new developments, promoting sustainable land management and conservation including protecting habitats such as woodland and peatland, ensuring that new development is located away from areas of flood risk, with an integrated approach to water management across all areas and encouraging appropriate building and infrastructure design and through the restoration of minerals and waste sites.

Objective 17: Low Carbon - Reduce the causes of climate change and support the transition to a low carbon economy by encouraging and enabling the use of low and zero carbon technologies, supporting the development of appropriate renewable energy sources and sustainable and active transport.

Objective 18: Sustainable Transport - Ensure that new development can be easily and safely accessed by all modes of transport and, wherever possible, contribute to reducing the need to travel, thereby reducing the impact of traffic and congestion on air quality, the wider environment, businesses and the economy, communities and health.

Objective 19: Natural Resources - Protect and enhance air, water and soil quality and encourage the efficient and sustainable use of the county's resources, particularly energy, water, soils, best and most versatile agricultural land, timber, minerals and waste including through the development of a diverse and thriving local food system.

Objective 20: Supply of Minerals - Meet society's needs and ensure a steady and adequate supply of both energy and non-energy minerals, in accordance with the principles of sustainable development; while also protecting the environment, amenity and health of local communities; ensuring the early and high quality restoration and aftercare of mineral sites; and the safeguarding economically important mineral resources, mineral sites and minerals related infrastructure from incompatible development.

Objective 21: Waste Management - Support the development of a network of modern waste management facilities which help ensure that society's waste arisings are managed in accordance with the principles of the waste hierarchy; which facilitate re-use, recycling, composting and recovery of value from waste and enabling the disposal of waste as the last resort; while also protecting the environment, the amenity and health of local communities; and existing and proposed facilities from incompatible development.

Delivering Sustainable Development

3.3 The National Planning Policy Framework (NPPF) makes it clear that the purpose of the planning system and local plans is to contribute to the achievement of sustainable development. In accordance with this, the County Durham Plan, when read as a whole, seeks to deliver sustainable development as a means of growing the county's economy, support the wellbeing of communities across the county, and protect and enhance the environment. The Plan therefore includes clear policies and the Sustainable Development Statement below, to guide how the presumption in favour of sustainable development will be applied in County Durham.

Sustainable Development Statement

When considering development proposals, the council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in County Durham.

Planning applications that accord with the policies in the Local Plan and the Minerals and Waste Policies and Allocations Document⁽⁵⁾ (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, the council will grant permission unless the application of policies in the National Planning Policy Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

To deliver sustainable development in County Durham and achieve the economic, social and environmental benefits that development can bring we will pursue the following principles:

1. New development should create and support strong, vibrant, resilient and healthy communities, making the most effective use of previously developed land wherever possible, and enabling a larger number of people to have convenient access to jobs, training, services and facilities (including multi-functional green space) by public transport and safe walking and cycling, as alternatives to the private car;
2. In order to secure balanced communities, development should deliver economic growth and new job opportunities. This should be supported by an appropriate scale and mix of housing which meets identified need and is located in places where people wish to live;
3. The location and scale of new development should meet the needs of our communities and businesses, supporting levels of growth commensurate with their access to services and facilities (as set out in the County Durham Settlement Study⁽⁶⁾), its rich and diverse environment and existing infrastructure constraints, whilst seeking opportunities to secure improvements and balancing this with land supply and viability;

⁵ Until the Minerals and Waste document has been adopted saved policies in the Minerals Local Plan and Waste Local Plan will continue to be used.

⁶ [County Durham Settlement Study](#) (2018).

4. To allow smaller communities to become more sustainable and resilient, development that delivers environmental and community benefits, social cohesion and economic vitality will be permitted, particularly if it benefits nearby communities that individually lack, services, facilities and/or employment opportunities;
5. In rural areas, development that meets the economic and housing needs of the local community, including tourist development, will be permitted providing it is appropriate and the quality, character and valuable features of the countryside are protected; and
6. Development should contribute to protecting and enhancing the natural, built and historic environment, be resilient to climate change, while promoting low carbon construction.

3.4 A local plan should ensure that sufficient land of the right type is available in the right places to support growth by identifying and coordinating development requirements, including the provision of infrastructure. Development must also be viable, deliverable and located in places where people wish to live. In order to secure the infrastructure that is required to support new development such as highways improvements, open space or in the case of housing, school places or affordable housing, development must be allowed in those areas where there is sufficient opportunity for delivery.

3.5 The County Durham Plan should reflect all of the principles set out in the NPPF by directing most new development to those places that offer the best access to services and facilities (both now and for the foreseeable future). This can help reduce the need to travel, as well as making best use of existing infrastructure and previously developed land in built-up areas. By reflecting viability it also gives us the best chance of development being delivered. The nature of the county's dispersed settlement pattern does mean however that some development would be acceptable in smaller, more rural settlements, to support their resilience and sustainability.

3.6 Through the Plan, we will support opportunities to create new and better jobs as well as help people to improve their education and skills levels, obtain work, and set-up businesses. It is important that there is a cohesion between education, training and links to current and emerging sectors within the county. We will also ensure there is a portfolio of available sites to attract new businesses to the county and have the flexibility to respond to the changing needs of existing businesses.

3.7 Given the rural nature of much of the county, it is essential that we continue to promote a strong rural economy by supporting sustainable growth and expansion of all types of business and enterprise in rural areas. It is essential that opportunities are sought which will allow those who work in the countryside to also live there.

County Durham Settlement Study

3.8 County Durham consists of over 229 communities of differing character and size. These communities all play different roles, have different ambitions and have different relationships with the communities around them. To help understand these roles and relationships we have developed a Settlement Study⁽⁷⁾ which assesses the availability of services and facilities in each settlement such as jobs, shops, schools and access to public transport. The Settlement Study lists all settlements in order from the highest ranked settlement to the lowest, reflecting the range and number of services available. This then informs the location of new development allocated within the Plan.

7 [County Durham Settlement Study](#) (2018).

4 How Much Development and Where

Quantity of Development (How Much)

4.1 Whilst the economy is seen as a high strategic priority of the council and its partners, it also needs to be balanced with ensuring that social and environmental issues are fully considered and prioritised equally. The Plan therefore reflects the need to create successful places by improving the economic performance of County Durham and providing the housing and facilities that we need. The Plan is paramount to creating the right conditions for a sustainable County Durham. This includes creating a better environment for business and residents by providing the infrastructure that is needed to enable an increased proportion of the working age population to be in employment, people to live in good quality housing and to have access to a range of facilities, with all the benefits to residents health, wellbeing and prosperity that follow as a result. The Plan therefore seeks to enable growth and economic prosperity by ensuring that there is sufficient land, of the right type and in the places where people and business wish to locate within the environmental constraints which exist.

Policy 1 - Quantity of Development

Policy 1

Quantity of New Development

In order to meet the needs and aspirations of present and future residents of County Durham and to deliver a thriving economy, the following levels of development are proposed up to 2035:

- a. 300 hectares of strategic and general employment land for office, industrial and warehousing purposes; and
- b. a net minimum of 24,852 new homes of mixed type, size and tenure over the period 2016 to 2035 (1,308 new homes per year).

Determining the Need for Employment Land

4.2 In order to support economic growth across the county, it is essential that a suitable supply of sites and premises is actively planned for if we are to attract and retain businesses in the future. The County Durham Employment Land Review (ELR)⁽⁸⁾ provides the link between demographic change, job growth and the quantity of employment land that is needed to 2035. Government guidance suggests three approaches to understanding the quantitative need:

- **Labour Demand** – This approach uses employment forecasts of growth in different employment sectors from companies such as Experian and reflects recent trends and economic growth projections at the national and regional level. They also take into account how specific employment sectors in County Durham have performed relative to regional growth rates in the past. This results in a figure of **88 hectares**;

8 [Employment Land Review Update Report](#) (2018).

- **Labour Supply** – This approach is based on the estimated growth in jobs and a calculation of land needed to support these jobs. The jobs figures used are outputs from the calculation of the LHN set out below. This results in a figure of **86 hectares**; and
- **Past Take-up** of employment land and property – The amount of employment land which has been developed for different employment uses across the county since 2001. This results in a figure of **287 hectares**.

4.3 The main difference between the forecasting techniques is conflicting views regarding the future requirements of manufacturing. The baseline labour demand and labour supply scenarios indicate pessimistic forecasts for the manufacturing sector. This does not reflect the reality on the ground with the past take up analysis indicating that future manufacturing demand will be 105 hectares.

Qualitative Demand

4.4 All three forecasting techniques have their strengths and limitations and consideration needs to be given as to how appropriate each scenario is to the circumstances of County Durham, taking into account current market conditions. Therefore in determining a final figure for the levels of employment land required, it is important to also take into account relevant qualitative factors. Such factors include the views of businesses, agents and developers, to obtain a detailed understanding of the commercial market context for the county, emerging sectors and market signals. We also need to factor in current business trends and monitor relevant business, economic and employment statistics. This will allow us to build up the qualitative and quantitative picture necessary to provide a full understanding of demand for employment land to ensure that land is identified in areas which are most attractive to businesses.

Supply

4.5 The ELR also considers the current supply of employment land. We estimate the county has around 728 hectares (gross) of allocated employment land, quite often in parts of the county which do not serve the needs of business. The reason this figure is so high relates to the local plans of the former local authorities which each allocated their own sites.

4.6 The National Planning Policy Framework (NPPF) recommends the reallocation or de-allocation of land where there is no reasonable prospect of an application coming forward for the allocated use as this could be a constraint on the development of our towns and villages by reducing the amount of land that may be available for housing. The long term protection of these sites may also make it difficult to resist non-employment uses, such as housing, being developed on our more valuable employment allocations.

Quantity of Employment Land

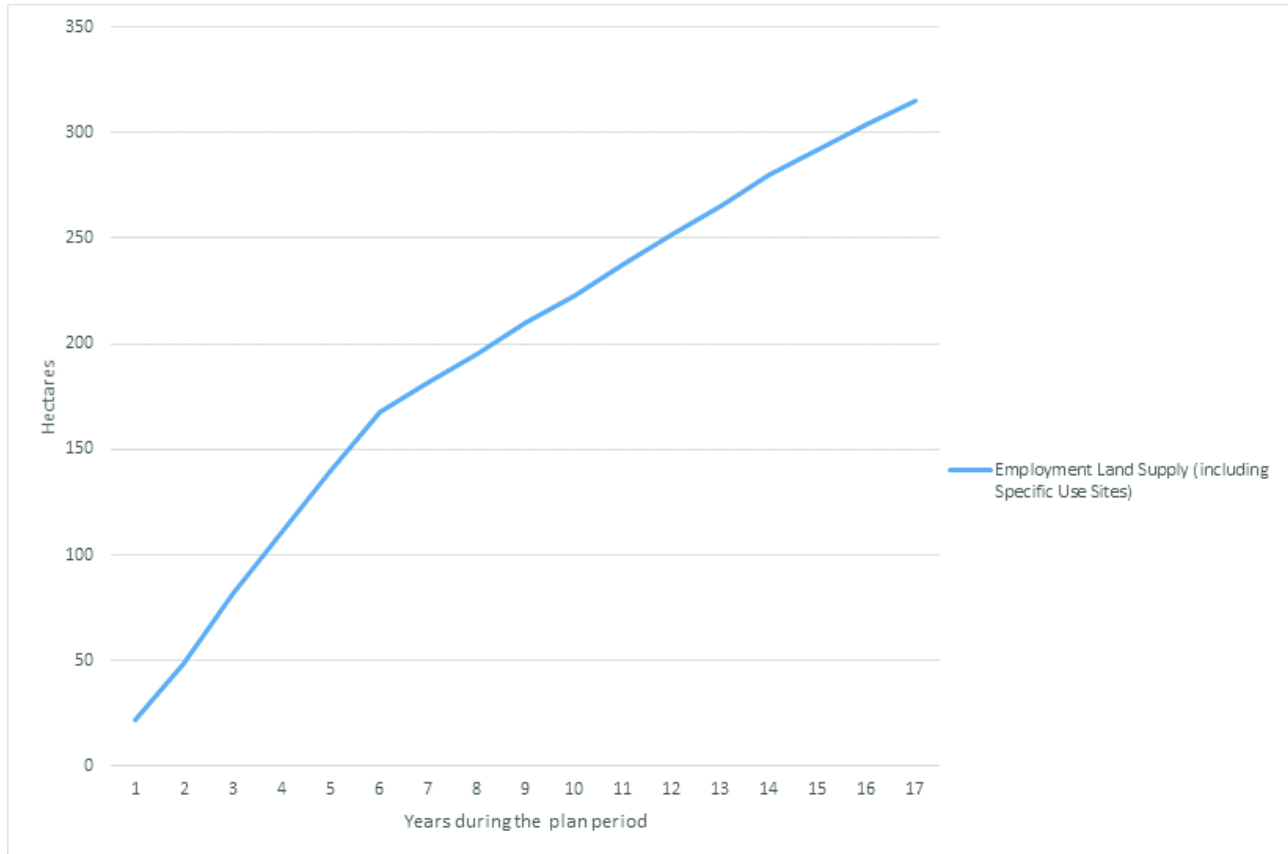
4.7 When comparing the existing supply of employment land to the forecasted need there is a significant oversupply. This oversupply is particularly high in areas where existing market demand is low and forecast expects it to remain so. Therefore following a review of the existing supply of employment land and potential new employment sites, the ELR recommends that County Durham's portfolio of employment land should be circa 260 hectares. To give flexibility and to acknowledge that many of the employment land allocations are within existing employment areas and therefore unsuitable for other uses, the Plan identifies a supply of land of 300 hectares.

4.8 The Plan also identifies NETPark, where the land is allocated for a specific type of employment use. It therefore falls outside of the 300 hectares of employment land supply. In addition further land at NETPark and Integra61 is safeguarded beyond the Plan period.

Employment Land Trajectory

4.9 The Employment Land Trajectory identifies the projected delivery of employment land in hectares, over the Plan period. It takes into account existing planning permissions, past take up rates and market intelligence in terms of the strength of economic market areas across the county.

Figure 1 Employment Land Trajectory



Determining the Objectively Assessed Need for Housing

4.10 The County Durham Strategic Housing Market Assessment (SHMA) has found that County Durham is a self-contained Housing Market Area (HMA) and an appropriate geography for undertaking an assessment of housing need and for the purposes of plan making. Through the Duty to Cooperate it has also been confirmed that the County Durham HMA does not overlap with any other local authority boundaries or other HMAs. Furthermore no local authority has asked Durham County Council to make provision to meet a proportion of their housing need and similarly all have confirmed that they would not wish to meet a proportion of our housing need.

4.11 In September 2017, the Government consulted on and updated the approach to assessing housing needs. This approach was set out for comment within the 'Planning for the Right Homes in the Right Places' and has now been taken forward in the NPPF and accompanying Planning Practice Guidance (PPG) published in February 2019. Both the NPPF and the guidance make it clear that local authorities should use the Government's standard methodology for calculating housing need unless there are exceptional circumstances.

4.12 There are three steps required to assess Local Housing Need (LHN) in line with the new standard approach:

- Step 1: Setting the Baseline;

- Step 2: An adjustment to take account of market signals; and
- Step 3: Capping the level of any increase.

4.13 In the Preferred Options we made use of the most up to date 2014 based Sub National Household Projections. In line with the methodology, these projections have been taken over a 10 year period and annualised. This resulted in 1,322 households per annum. In response to step 2, making use of the formula in the guidance the affordability adjustment equated to an additional 46 dwellings per annum in County Durham. In line with the guidance at step 3, a cap is not required for County Durham. The standard methodology therefore resulted in 1,368 dwellings per annum in County Durham.

4.14 The 2016 based Household Projections were published on 20 September 2018. When these projections were taken as an input to the methodology for determining LHN, this resulted in a LHN for County Durham of 1,032. It had been expected that the 2016 based Household Projections would result in a reduced LHN. The Planning Practice Guidance (PPG) published alongside the revised NPPF in June 2018, noted that the Government anticipated that lower than previously forecast projections would have an impact on the outputs associated with the method for calculating LHN. The PPG noted that the revised projections were likely to result in housing need numbers being subject to a significant reduction and that this would be inconsistent with the housing white paper. At this stage, the PPG signalled the Government's intention to adjust the standard method following the publication of the 2016 based projections.

4.15 In October 2018, the Government published a technical consultation, which set out the Government's proposed approach. This proposed approach is consistent with the housing white paper and previously published guidance and notes that for the short term, the 2014 based Household Projections should provide the demographic baseline for the assessment of LHN. It was noted that in the longer term, the method for calculating needs will be reviewed and amended. The PPG published in February 2019, noted that the 2014 based Household Projections should be used within the standard method to provide stability for planning authorities and communities, ensure that historic under-delivery and declining affordability are reflected, and to be consistent with the Government's objective of significantly boosting the supply of homes. Furthermore, the PPG noted any method which relies on using the 2016 based Household Projections will not be considered to be following the standard method.

4.16 Housing needs in County Durham have therefore been developed in line with the Government's standard methodology as set out in PPG and reflect the Government's technical consultation published on 26 October 2018. This approach results in a LHN of 1,287 homes per annum. PPG notes that the standard method for assessing LHN provides the minimum starting point for determining the number of homes needed in an area. In this context, the PPG notes that authorities may also consider previous delivery levels. Over the past five years (2013/14 - 2017/18) the council has delivered on average 1,308 homes. This record of delivery can be considered as being indicative of a greater housing need above the minimum starting point. For this reason, housing need in County Durham is based on the minimum assessment for LHN adjusted for recent past delivery. The adjustment made to accommodate for past delivery, would also serve to deliver more affordable homes in County Durham to meet affordable housing needs. The housing need for County Durham is therefore 1,308 dwellings per annum and when applied over the Plan period equates to 24,852 dwellings needed 2016-2035.

4.17 In reflecting past delivery, it is considered that this level of housing will serve to maintain recent momentum within the County Durham economy and will therefore support the Plan's vision and objectives. It should be noted that this number is a minimum and not a ceiling, if housing completions do exceed this level then this will be reflective of a buoyant housing market.

Delivering the New Housing Required

4.18 The Plan seeks to ensure that the the housing need for the county is met. There are a number of sources of housing supply that can contribute to meeting this need. The gap between this contribution and the total housing need determines how much additional land needs to be allocated. When allocating the sites to bridge this gap, the Plan has looked to ensure they will deliver the right homes in the right places, taking into account need, demand, deliverability, sustainability and improving choice.

Commitments

4.19 A large proportion of the new houses we need are already committed either on sites under construction or sites not started with planning permission (a total of 15,660 houses as at 1st April 2019 and shown in the table below).

Table 1 Total Commitments by Monitoring Area

Local Plan Monitoring Area	Total Commitments ⁽¹⁾
Durham City	915
Central Durham	1,959
North Durham	1,433
North West Durham	1,802
Mid Durham	2,346
South Durham	2,561
South East Durham	683
East Durham	3,285 ⁽⁹⁾
West Durham	676
Total	15,660

1. including sites under construction and those with an outstanding planning permission

4.20 It is possible that some of these commitments will not come forward during the Plan period for a variety of reasons such as abnormal costs, including contamination or a lack of house builder interest etc. As the existing commitments make up a large proportion of the housing identified, non-delivery of some of these developments could affect the Plan's ability to meet the identified housing need. An assessment of the lapse rate of planning permissions granted in County Durham shows that from 2011/12 to 2015/16, an average of 12% of the units on sites of 12 units or greater, and 53% of units on sites of 11 units or fewer have lapsed.

4.21 In order to take this evidence into account and ensure we are not hampered in meeting our housing need we have applied these discounts (12% to large sites and 53% to small sites) to sites with planning permission that have not started to account for sites that could lapse within the Plan period.

4.22 Once the County Durham Plan is adopted there will be fewer large windfall sites granted planning permission than in recent years and the housing allocations identified to meet the housing need have also been subject to robust assessment including viability, giving more certainty over their

9 This includes a figure of 840 houses for the recently approved South of Seaham development.

delivery. In addition there are a further 1,725 houses on 11 sites with planning permission and 630 houses on the Copelaw housing allocation (H30) which we expect to be delivered beyond the Plan period for various reasons set out in the housing trajectory (these have already been subtracted from the figures in the table above). We do not therefore believe a lapse rate is required for the proposed housing allocations in the Plan.

Windfalls

4.23 Government guidance states that local plans may include allowances for windfall sites (non-allocated sites) which may come forward at some time in the future if there is evidence to justify that allowance. Small scale housing developments (11 houses or fewer) have historically made a contribution to past housing delivery (an average of 125 houses per annum for the past 8 years). However it is expected that with the Plan in place the number of windfalls will reduce, therefore it is considered that an allowance of 100 per annum on small sites would be appropriate. This would reflect the contribution small sites can make but does not make future housing delivery over reliant on them. This windfall allowance figure has been applied, starting from 2021/2022 (year three onwards from the base date 1st April 2019) in the residual for allocation calculation. To also include a windfall allowance within the next/first two-years (2019/20-2020/21) would potentially include some overlap and double counting with those small sites already included in the supply of existing commitments.

4.24 Due to the age of the existing local plans in County Durham, large windfalls (12 units or greater) have made a significant contribution to housing delivery in previous years. However, although it is accepted that some large windfalls may still receive planning permission during the Plan period, it is considered that these should not be relied upon to meet our housing requirement. We therefore consider it inappropriate to include an allowance for large windfall sites as this could undermine the purpose of the local plan in providing certainty on where new housing should go.

Empty Homes

4.25 Bringing empty homes back in to use is a key priority for the council. We also recognise the issues experienced in some areas as a result of concentrations of vacant, underused properties and will continue to work with all relevant agencies and in particular Homes England to pursue funding that will allow as many properties as possible to be brought back into use. Past performance shows that on average for the past 5 years, around 34 houses per year have been brought back into use. As homes fall in and out of long term vacancy for a whole host of reasons, it is difficult to do anything more than estimate future impact upon housing supply based upon past trends and known future council activity. Therefore, changes in the number of empty homes will continue to be monitored annually and will be factored into annual net completions measured against the annual housing requirement of 1,308 net additional homes.

Student Housing

4.26 The PPG states that all student accommodation, whether it consists of communal halls of residence or self-contained dwellings, and whether or not it is on campus can be included towards the supply of housing based on the amount of accommodation it releases into the housing market. Despite the development of new student accommodation within the county, current evidence does not indicate that it is resulting in houses in multiple occupation (HMOs) being released into the general housing market. Therefore no allowance for this has been made when calculating the amount of new housing which needs to be allocated in the Plan although this position will be monitored.

Demolitions

4.27 Sometimes where there is little or no demand for houses or they are in such poor condition that they are uninhabitable, it is necessary to demolish them. If they are not council owned, then they may have to be purchased before they can be demolished. Although funding for future demolitions is uncertain it is likely that there will be a degree of further demolitions across the Plan period, particularly in areas of low demand. Although on average, there have been around 35 demolitions per year for the past five years this can only be an estimate of the number of future demolitions. The loss of homes through demolition and conversions to other uses will continue to be monitored annually and will be factored into annual net completions measured against the annual housing requirement of 1,308 net additional homes.

Residual for allocation

4.28 Taking the sources of supply set out above into account the following table sets out the calculation used to determine how many houses we need to plan for, through allocating specific housing sites across the county.

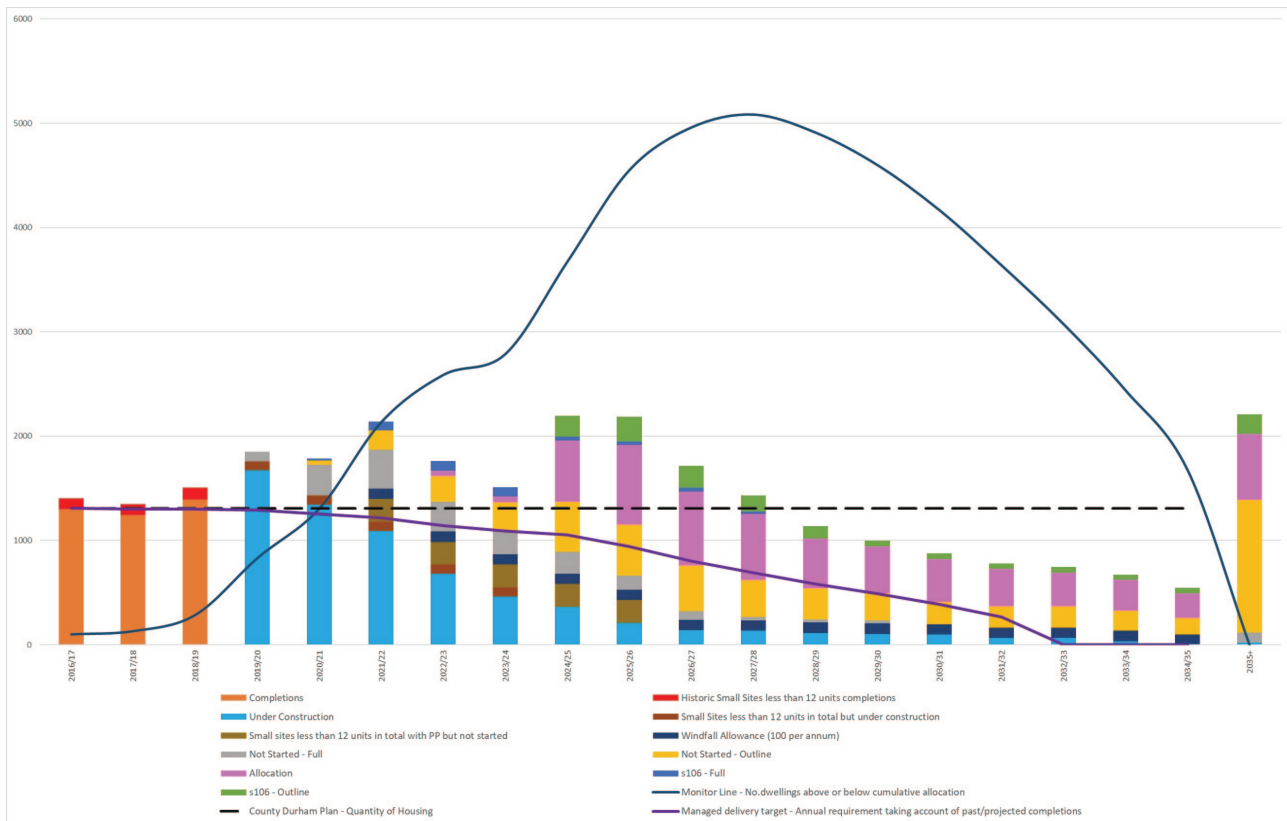
Table 2 Number of Houses to be Allocated

	Component	Total
A	LHN	24,852
B	Windfall allowance for small scale housing developments (11 houses or fewer) 100 pa from 2021 onwards)	-1,400
C	Windfall allowance for sites 12 units or greater	0
D	Commitments as at 1 st April 2019 ⁽¹⁾	-15,660
E	12% lapse rate to large commitments and the 53% lapse rate to small site commitments for non-delivery of commitments which have not yet started	1,634
F	Net Completions 1 st April 2016 to 1 st April 2019	-4,212
G	Residual for allocation	5,214

Housing Trajectory

4.29 Trajectories are a planning tool designed to illustrate the expected rate of housing delivery across the Plan period. In order to prepare the housing trajectory for the county, we have estimated the projected build out rates for all existing housing commitments and allocated sites. It is important to emphasise that the housing trajectories are not intended to produce perfect forecasts of the future but do provide as good an understanding as possible of the prospects for delivery. The advice of developers and local agents has proved important in assessing lead-in times and build-out rates. The trajectory sets out how the Plan will maintain delivery of a five-year supply of housing land to meet the LHN.

Figure 2 Housing Trajectory



How will the Policy be monitored?

Indicator:

1. Employment Land approved and completed
2. Gross housing completions
3. Number of houses approved
4. Number of housing demolitions
5. Number of empty homes brought back into use
6. Number of homes lost to conversion to other uses (excluding student accommodation: C4 small HMOs and Sui Generis Larger HMOs)
7. Number of homes gained from conversion from other uses (excluding student accommodation: C4 small HMOs and Sui Generis Larger HMOs)
8. Number of C3 homes lost to C4 small HMOs and Sui Generis Larger HMOs use
9. Number of C4 small HMOs and Sui Generis Larger HMOs brought back into C3 use
10. Number of PBSA bedrooms completed

Target

1. Annual employment land delivery target - based on the Employment Trajectory
2. 1,308 net homes houses completed
3. No target
4. No target
5. No target
6. No target
7. No target
8. No target
9. No target
10. No target

Spatial Distribution of Development (Where)

4.30 A local plan not only identifies the amount of new development needed but also where it should be located. Any options for locating new development should reflect the Sustainable Development Statement but must also be realistic, deliverable, support the achievement of sustainable development and reflect an understanding of our neighbouring authorities' strategies.

Distribution of Employment

4.31 It is important to ensure that there is a portfolio of available sites across the county which are attractive to new employers, allow the expansion of existing businesses and respond to the changing needs of businesses. It is essential that these are located in areas of the county that offer good opportunities to attract investment. The Employment Land Review (ELR)⁽¹⁰⁾ identifies a number of economic market areas across County Durham which reflect different commercial markets and recognise cross boundary relationships. These market areas are:

- Durham City;
- A1(M) Corridor;
- A19 Corridor;
- Consett and Surrounds;
- Bishop Auckland and surrounds; and
- The Rest of County Durham including rural areas.

4.32 The ELR has assessed land across these market areas and identifies surpluses and shortages against the levels of demand for employment land. This then informs the employment land allocations, focusing on the most attractive market areas, while also ensuring that we meet the needs of other areas.

10 [Employment Land Review Update Report \(2018\)](#)

Policy 2 - Employment Land

Policy 2

Employment Land

Employment Allocations

Undeveloped land and plots at the following employment sites and at proposed extensions to these existing employment sites, as shown on the policies map, are allocated for B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) unless specifically stated.

Table 3 Employment Land Allocations by Local Plan Monitoring Areas

Name	Area (hectares, net)
DURHAM CITY	
Aykley Heads (B1 only) (Durham City)	3.0 ⁽¹¹⁾
Belmont Industrial Estate (Durham City)	5.48
Abbey Woods (Durham City)	0.66
Dragonville (Durham City)	1.18
Total	10.32
CENTRAL DURHAM	
Meadowfield Industrial Estate	26.67
Bowburn North Industrial Estate	0.42
Integra61 (Land South of Bowburn Road)	42.64
Total	69.73
NORTH DURHAM	
Drum Industrial Estate (Chester-le-Street)	4.44
Stella Gill Industrial Estate (Chester-le-Street)	1.29
Westline Industrial Estate (Birtley)	1.01
Bowes Business Park (Lambton) (B1 only)	0.17
Lambton Estate (B1 only)	10.04
Total	16.95
NORTH WEST DURHAM	
Villa Real (Consett Business Park)	0.78

11 As detailed in Policy 3 (Aykley Heads) and excludes areas that are currently in use for employment.

Name	Area (hectares, net)
Delves Lane South	0.61
Leadgate Industrial Estate	1.06
Tanfield Lea Industrial Estate (North)	1.9
Tanfield Lea Industrial Estate (South)	2.13
Greencroft Industrial Park (Annfield Plain)	5.66
Number One Industrial Estate (Consett)	1.37
Total	24.31⁽¹²⁾
MID DURHAM	
Chilton Industrial Estate	0.76
Chilton Extension	3.42
Dean and Chapter Industrial Estate (Ferryhill)	0.23
Green Lane Industrial Estate/Durham Gate (Spennymoor)	10.18
Low Willington Industrial Estate	11.16
Dan's Castle Industrial Estate (Tow Law)	0.26
Inkerman (Tow Law)	1.16
Total	27.17
SOUTH DURHAM	
Aycliffe North Business Park (North)	10.19
Aycliffe South Business Park (South)	11.09
Merchant Park (Newton Aycliffe)	10.12
Forrest Park (Newton Aycliffe)	50.85
South Church Enterprise Park (Bishop Auckland)	6.86
St Helens Auckland Industrial Estate	2.46
Future Business Park (Shildon)	2.74
All Saints Industrial Estate (Shildon)	6.72
Total	101.03
SOUTH EAST DURHAM	
Fishburn Industrial Estate	0.82

12 Includes 10.8 hectares on Hownsgill Industrial Estate.

Name	Area (hectares, net)
Total	0.82
EAST DURHAM	
Jade Park	18.85
Peterlee North West Industrial Estate	8.52
Peterlee South West Industrial Estate	8.2
Sea View Industrial Estate (Horden)	1.6
Total	37.17
WEST DURHAM	
Harmire Industrial Estate (Barnard Castle)	2.32
Stainton Grove Industrial Estate	0.2
Land at Shaw Bank (Barnard Castle)	7.13
Randolph Industrial Estate (Evenwood)	2.78
Total	12.43
COUNTY DURHAM	299.93⁽¹³⁾

Specific Use Employment Sites

A site of 15.84 hectares at land north of NETPark, Sedgefield is allocated for uses with use class B1, specifically for Research and Development only.

Safeguarded Employment Sites

An area of 15.93 hectares to the north of NETPark allocation is safeguarded for future expansion beyond the end of the Plan period.

A site of 61.95 hectares to the west of the Integra61 allocation is safeguarded for future expansion land beyond the end of the Plan period.

Project Genesis

In order to continue to progress the regeneration of Consett the council will support mixed use development on the Project Genesis site, as shown on the policies map, including a site of 10.8 hectares at Hownsgill Industrial Estate for general employment land, provided the development accords with relevant development plan policies.

Development of Employment Sites for Other Uses

Development for non-employment uses⁽¹⁴⁾ on employment allocations (as identified in Table 3) or existing protected employment sites (as identified in Table 4) will not be permitted unless:

¹³ Includes 10.8 hectares on Hownsgill Industrial Estate.

¹⁴ Development for non employment uses is uses other than Business (B1), General Industrial Use (B2) or Storage and Distribution (B8) unless specifically stated.

- a. there is documented evidence of unsuccessful active marketing for employment use with at least one recognised commercial agent at local market levels, over a continuous period of at least 12 months for a change of use of a property, 2 years for the redevelopment of a protected site and development of an allocated site below 10ha and 5 years for the development of a plot of land on an allocated site of greater than 10ha; or
- b. the proposed use would not compromise the main use of the site for B class uses and would comply with Policy 9 (Retail Hierarchy and Town Centre Development) where main town centre uses are proposed.

Any new development for non-employment uses on employment allocations or existing protected employment sites must comply with the other relevant policies in the Plan and any existing jobs located on the site must be relocated.

4.33 The County Durham Employment Land Review (ELR)⁽¹⁵⁾ has assessed all employment sites across the county together with sites put forward as part of a 'Call for Sites' for employment land, against a range of criteria. These assessments give an indication of the relative strengths and limitations of these sites and has informed the site allocations detailed above. Many of these are undeveloped plots on existing industrial estates. Schedules for each employment allocation are included in the ELR which identify any constraints. It should be noted that in some instances the site areas of the allocations detailed within the policy relate to net developable areas, the details of these are clarified within the ELR and may differ from the gross areas detailed on the online policies map. Where a site may impact on a heritage asset, a separate assessment has been made and the findings and recommendations of these assessments should inform the future development of these employment sites⁽¹⁶⁾.

4.34 It is important that a variety of sites are retained for employment purposes to achieve a balanced and sustainable local economy and to provide opportunities for sustainable economic growth. Therefore non-employment uses will be resisted unless they meet the criteria detailed within this policy. In some instances, particularly on larger employment sites, facilities such as creches/nurseries, gyms, sandwich shops and cafés can support the wider functioning of the employment site and provide valuable facilities for employees working within these locations. Such uses should however, not compromise the wider functioning of the estate and where applicable should accord with other policies within the Plan, notably Policy 9 (Retail Hierarchy and Town Centre Development) where main town centre uses are proposed.

4.35 The Plan allocates two significant areas for business at Newton Aycliffe. These are sites that will contribute significantly to the economy of the county and provide unique investment opportunities. Newton Aycliffe Industrial Estate is one of the largest estates in the North East and land exists to the south and west of the estate for further expansion. The adjoining Merchant Park was identified as the preferred location by Hitachi for a train manufacture and assembly plant. A purpose built facility has recently opened and will produce new rolling stock for East Coast and Great Western Trains. The site will see large scale job creation with the Hitachi development having the potential to act as a catalyst for further growth and investment within the sector and bring wider benefits to Newton Aycliffe and County Durham as a whole.

4.36 Forrest Park is a site of 50 hectares located adjacent to junction 59 of the A1(M) bounding the A167 and Shildon Branch line. This site has the potential to deliver a prestige employment development, which may include a major freight interchange operation providing rail linked distribution

¹⁵ [Employment Land Review Update Report](#) (2018).

¹⁶ [Heritage Impact Assessment for Employment](#) (2019).

warehousing and having direct motorway access to rail and port container services. The site may also provide further accommodation for businesses attracted to Newton Aycliffe following the location of Hitachi in the town. Funding has been secured that will provide utility infrastructure and an access onto the site.

4.37 To the south of Murton is the site of the proposed Enterprise Zone, Jade Park. With good links to the A19, the Jade Park site is one of 10 sites around the region that has been given Enterprise Zone status by the North East Local Enterprise Partnership (LEP). Businesses located within this Enterprise Zone will receive a number of benefits that are in place to drive economic growth. For this reason nearly 20 hectares of land is allocated for development.

4.38 The Project Genesis Trust was formed in 1994 as a registered charity in order to regenerate the site of the former Consett Steelworks and reinvest the funds from the development in the provision of environmental, recreational and social benefits to local people. Project Genesis prepared a concept masterplan for the site in 2012 to determine the developable zones and the types of uses the site can support. Approximately 40% of the developable land identified in the Masterplan has now either been completed or is under construction including a number of new commercial developments principally a supermarket, coffee shop, restaurant, a significant amount of new housing, including affordable housing and housing for older people, a new building for Derwentside College and a number of new industrial premises and offices for local and international businesses. In addition, 10.8 hectares of land is allocated at Hownsgill as part of the Masterplan to support further jobs growth and contribute to the ongoing regeneration of the town. The important role of Project Genesis in continuing to bring forward further development in the future is recognised, as are the benefits it has to the community of Consett both socially and economically and in terms of regenerating the built and natural environment.

4.39 Meadowfield Industrial Estate is located to the west of Durham City. It covers a large area and currently houses a variety of businesses and uses. The popular estate has seen recent land take up with new premises having been developed. Land exists for business and industrial growth, building on its locational advantages relatively close to Durham City and the A1(M). The Plan therefore identifies 26.67 hectares of land which will provide opportunities for further growth over the Plan period.

4.40 The economy of Bishop Auckland has undergone a period of change within recent years. There are however seven hectares of undeveloped land at South Church Enterprise Park which continues to be a popular location for business in the town. The Plan therefore allocates land there to continue to meet business needs in the town.

4.41 The remaining allocations in this policy are for general employment use, light/heavy industry/warehousing, within the B1 (Business), B2 (General Industrial) and B8 (Storage and Distribution) use classes. These sites will meet the county's employment land requirements to 2035 as set out in Policy 1 (Quantity of Development).

4.42 The development of the employment allocations identified in Table 3 will contribute to creating a prosperous economy in County Durham. Therefore they will be protected from development for non-employment uses except in the specific circumstances set out in the policy.

Specific Use and Safeguarded Employment Sites

4.43 NETPark is a regionally significant centre for research and development (R&D) and plays a vital role in unlocking the research potential of North East universities and colleges. It is important to the continued success of NETPark that future phases of development are allocated and safeguarded for R&D and technology transfer activity linked to the research specialisms of the region's higher and further education institutions. The Plan therefore allocates 15.84 hectares of land within the Plan period and a further 15.93 hectares is safeguarded as future expansion land beyond 2035. Given

its economic importance it is necessary to ensure that the safeguarded land is retained for future phases of development. If the monitoring of the take up of land at NETPark indicates that the safeguarded land is required earlier, this will be addressed in a future review of the Plan.

4.44 The Plan allocates 44.25 hectares of employment land to the south of Bowburn, known as Integra61. Further land of nearly 62 hectares adjacent to this site, west of the Leamside Line is considered to provide a logical next phase to the development of Integra61 if it is successful. The site has been safeguarded beyond the Plan period however, should the take up of the allocated land indicate that land is required earlier, this will be addressed through a future review of the Plan.

Protected Employment Sites

4.45 In addition to the new land identified for employment, the ELR also identifies a number of other existing employment sites which make an important contribution to the economy of the county and are of sufficient quality that they should be protected for employment use. These are listed in Table 4 below. These will only be permitted to change to non-employment uses subject to the criteria in this policy.

Table 4 Protected Employment Sites

Durham City	
Abbey Road (Durham City)	Belmont Industrial Estate (Durham City)
Abbey Woods (Durham City)	Durham Science Park (Durham City)
Aykley Heads (Durham City)	Dragonville (Durham City)
Central Durham	
Bowburn North Industrial Estate	Langley Park Industrial Estate (North)
Bowburn Industrial Estate (South)	Langley Park Industrial Estate (South)
Coxhoe Industrial Estate	Meadowfield Industrial Estate
Esh Winning Industrial Estate	Quarrington Hill Industrial Estate
Kimblesworth Industrial Estate	Sherburn Hill Industrial Estate
Langley Moor & Littleburn Industrial Estate	Tursdale Industrial Estate
North Durham	
Bowes Business Park Lambton (B1 uses only)	Sacriston Colliery Industrial Estate
Drum Industrial Estate (Chester-le-Street)	Stella Gill Industrial Estate (Chester-le-Street)
Lumley Sixth Pit	The Turnpark (Chester-le-Street)
Sacriston Industrial Estate	Westline Industrial Estate (Birtley)
North West Durham	
Bradley Workshops (Consett)	Leadgate Industrial Estate
Castleside Industrial Estate (Consett)	Morrison Busty (South) (Annfield Plain)

Craghead Industrial Estate (Stanley)	Morrison Busty (North) (Annfield Plain)
Crookhall Industrial Estate (Consett)	Morrison Service (Annfield Plain)
Delves Lane (North)	Number One Industrial Estate (Consett)
Delves Lane South	Park Road Industrial Estate (Consett)
Consett Business Park	Park Road Industrial Estate (North) (Consett)
Derwentdale Industrial Estate (Consett)	Ponds Court (Consett)
Greencroft Industrial Park (Annfield Plain)	Tanfield Lea Industrial Estate (North)
Harelaw Industrial Estate	Tanfield Lea Industrial Estate (South)
Hamsterley Industrial Estate	The Grove (Consett)
Hobson Industrial Estate	Watling Street (Consett)
Hownsgill (Consett)	
Mid Durham	
Chilton Industrial Estate	Inkerman (Tow Law)
Dan's Castle Industrial Estate (Tow Law)	Mainsforth Industrial Estate
Dean and Chapter Industrial Estate (Ferryhill)	Merrington Lane (Spennymoor)
Dunelm Industrial Estate (Willington)	Thistleflat/Beechburn Industrial Estate (Crook)
Green Lane Industrial Estate/Durham Gate (Spennymoor)	Thrislington/Cornforth
High Hope Street (Crook)	Tudhoe Industrial Estate
Low Willington Industrial Estate	
South Durham	
All Saints Industrial Estate (Shildon)	Laurel Way Industrial Estate (Bishop Auckland)
Aycliffe Business Park (North)	Merchant Park (Newton Aycliffe)
Aycliffe Business Park (South)	Romanway Industrial Estate (Bishop Auckland)
Coundon Industrial Estate (West)	Shildon (Dabble Duck) Industrial Estate
Furnace Industrial Estate (Shildon)	South Church Enterprise Park (Bishop Auckland)
Future Business Park (Shildon)	St Helen Auckland Industrial Estate
Hackworth Industrial Estate (Shildon)	West Auckland Industrial Estate
South East Durham	
Fishburn Industrial Estate	Trimdon Grange Industrial Estate

NETPark (Sedgefield) (B1 uses in Research and Development only)	Sedgefield Station
Salters Lane Industrial Estate (Sedgefield)	
East Durham	
Blackhall Industrial Estate	Peterlee South West Industrial Estate
Brackenhill Business Park (Peterlee)	Seaham Grange
Cold Hesledon Industrial Estate	Sea View Industrial Estate (Horden)
Foxcover Industrial Estate (Seaham)	Spectrum Business Park (Seaham)
George Street (Seaham)	Thornley Station
Peterlee North East Industrial Estate	Whitehouse Business Park (Peterlee)
Peterlee North West Industrial Estate	Wingate Grange Industrial Estate
West Durham	
Bond Isle (Stanhope)	Randolph Industrial Estate (Evenwood)
Broadwood (Frosterley)	Stainton Grove Industrial Estate
Evenwood Industrial Estate	St John's Chapel Industrial Estate
Harmire Industrial Estate (Barnard Castle)	Wolsingham Industrial Estate
Middleton Station (Middleton-in-Teesdale)	

Non-Protected Employment Sites

4.46 The ELR identifies a number of existing employment sites that are currently in use (either in full or in part) that are not considered necessary to protect. This is due to various factors such as high vacancy rates, low demand and in some instances large areas of the site that have already been lost to alternative uses such as housing, often due to low demand. In line with guidance in the National Planning Policy Framework (NPPF), their redevelopment for other uses will be permitted where the proposed scheme is in accordance with the relevant policies of the Plan and any jobs on site are successfully relocated.

Monitoring

4.47 The take up of employment land allocated in the Plan will be monitored and further land will be identified if required. The extent of each Employment Allocation and Protected Employment Site are shown on the policies map. Applications for employment uses outside of identified employment sites will be assessed against relevant policies in the Plan.

How will the Policy be monitored?**Indicator:**

1. Amount of employment land approved and completed by Use Class on allocated sites.
2. The amount of allocated and protected employment land lost to other uses.

Target:

1. In accordance with the employment trajectory.
2. None lost to other uses.

Policy 3 - Aykley Heads**Policy 3****Aykley Heads**

In order to provide a high quality employment location to contribute to the delivery of the new and better jobs which Durham City and County Durham need, land at Aykley Heads, as shown on the policies map, is allocated as a Strategic Employment Site. The development of this site will have regard to the provision and timing of the infrastructure necessary to support it.

The development of the site will reflect the following principles of development:

Employment

- a. deliver approximately 48,698 sqm of new high quality, flexible office (use class B1a) floorspace on 9 hectares⁽¹⁷⁾ of land to attract national and international employers; and
- b. an area of 1.0 hectare, currently occupied by the County Hall car park⁽¹⁸⁾, will be released from the Green Belt in order to provide office floorspace, providing a key gateway frontage into the site. In this area and in any areas bordering the green belt which are developed or redeveloped, the layout and design of development and associated landscaping will provide for the retention or creation of readily recognisable and permanent features delineating the boundary of the Green Belt.

Green Infrastructure

- c. incorporate an interconnected network of good-quality, multi functional green infrastructure including an adequate supply of different types of open space. An appropriate and enhanced landscape structure with clearly defined boundaries will also be developed;

¹⁷ This includes the existing plot of County Hall.

¹⁸ To the south east of County Hall.

- d. set the new office development within a strong landscape framework which capitalises on the site's natural landscape features, provides integration with the surrounding landscape, preserves and enhances wildlife potential and embraces environmental standards;
- e. to provide compensatory improvements for the loss of Green Belt, the land to the east of the site will be enhanced to provide a high quality parkland as an integral part of the site's development, retaining its openness and providing an attractive, safe enhanced network of multi-user routes, enhancing the opportunity for tree planting and habitat creation;
- f. provide enhanced green routes running through the new park to provide attractive and safe routes linking this area to the northern entrance of Durham Railway Station and Wharton Park and residential areas to the north of the site; and
- g. the development of Aykley Heads will require a financial contribution to facilitate playing field re-provision in the catchment area.

Sustainable Design

- h. deliver attractive, well designed places incorporating sustainable development principles and adopting sustainable construction methods;
- i. have special regard to views and the significance of the Durham Castle and Cathedral World Heritage Site and the Durham City Conservation Area;
- j. a water drainage management plan, incorporating SuDS, will be required. It will consider wider opportunities for improvement of local water quality. Any SuDS developed should be designed to incorporate wetland habitats;
- k. enhance the entrance to the site from Durham Railway Station and provide good quality pedestrian and cycle links from the station into the site; and
- l. create a new high quality gateway entrance fronting onto the A691/B6532.

Transport

- m. bus, pedestrian and cycle routes must be incorporated within, and connecting to the city centre and other adjoining facilities. A Transport Assessment and Travel Plan will also be required to ensure that reliance on the private car is reduced; and
- n. encourage the use of Park and Ride schemes and other forms of sustainable transport and limit the provision of car parking in accordance with Policy 21 (Delivering Sustainable Transport).

4.48 Durham City is the most important employment centre in the county and the only key employment location within the county which can be described as having a county-wide employment draw⁽¹⁹⁾. Durham City performs well relative to other areas of the county, it currently has significant levels of public sector jobs including Durham Passport Service, National Savings and Investment (NS&I), Durham Constabulary, University Hospital and the County Council. Durham has a world leading university, good infrastructure and an excellent environment and quality of life on offer, however historically it has struggled to attract significant private sector investment. This is principally because the city lacks a modern business quarter and a shortage of suitable sites. It is therefore important that the Plan identifies a location that is attractive to private sector investment and business.

4.49 The Employment Land Review (ELR) recognises that Durham City is the county's key office location and dominates the county's office market. It reports of rising demand for office accommodation and low vacancy rates within the city centre and DH1 postcodes. This is due to the take up in Durham City having been constrained by a lack of available sites and Enterprise Zone status in other areas which directed development to the A19 Corridor. This demand supports the need to develop a business location of strategic importance within Durham City to promote private sector investment.

4.50 The site is located close to the city centre, adjacent to Durham Railway Station, has cycle paths and footpaths and excellent road links to the A1(M) and A167. Detailed analysis and consultation with business and developers through the preparation of the ELR, has also concluded that Aykley Heads compares favourably with other sites in the city, the county and the remainder of the North East. The high quality landscape and unique setting has the potential to provide a high quality office environment that would therefore be attractive to private sector investment.

4.51 Recent private sector investment in the city at The Gates, Freeman's Reach and Milburngate House and by Atom Bank (a new and exclusively online bank) and Waterstons (a business and IT consultancy) at Aykley Heads, is evidence that the city, and Aykley Heads in particular, have the potential to attract further significant private sector investment. It is important that this momentum is maintained through a policy approach that allows the Aykley Heads site to maximise its potential as a strategic employment site over the Plan period.

4.52 The Aykley Heads redevelopment is supported by a number of regional organisations including the North East Local Enterprise Partnership (LEP) and North East England Chamber of Commerce as well as Durham University. The redevelopment of Aykley Heads requires that the council vacates its current building and a planning application has now been approved for a new council HQ on the Sands car park, opposite Freeman's Quay leisure centre. A masterplan has also been agreed for the Aykley Heads site.

4.53 The current Green Belt boundary at Aykley Heads has been drawn tightly around the existing buildings and includes 1.0 hectare of land which is a hard-surfaced car parking area at County Hall. This area was assessed as part of the Green Belt Assessment which found that although this area does contribute to preserving the setting and special character of historic towns it does not perform strongly with regards to the other Green Belt purposes set out in the National Planning Policy Framework (NPPF). Notwithstanding the findings of the Green Belt Assessment the car park is a clear urban use which adjoins the Durham City Conservation Area. Whilst development may therefore have an impact, by connecting the site with the city centre and creating a 'presence' on Framwellgate Peth/A691 it would provide an opportunity to enhance the setting of the Conservation Area and the approaches into the city centre. The exceptional circumstances to justify the removal of the car park from Green Belt include the unique economic opportunities a strategic employment site in a sustainable location brings in terms of the creation of a large number of more and better jobs and the opportunity

19 Commuter inflows into Durham City are far greater than outflows. Durham City has the largest working population of all settlements in County Durham and is also the highest attractor of work trips in the county. Source County Durham Travel Patterns - 2011 Census Date Analysis, Jacobs.

to enhance the contribution that this site makes to the Conservation Area and the setting of the historic core. In addition as this area would act as a gateway for the site, linking it to the city centre and the station, its sensitive development would be important to the eventual success of the entire site.

4.54 In order for Aykley Heads to effectively stimulate economic growth, the provision of start-up space and move-on accommodation is as important as providing opportunities for large scale premises. This could provide opportunities to increase rates of graduate retention and will be an important factor in the marketing of Durham City as an office location. Occupiers are likely to come from the professional services, financial and health sectors. Future businesses at Aykley Heads will be encouraged to participate in the 'Better Health at Work' scheme, as part of promoting healthy lifestyles and considering the health of their employees.

Aykley Heads Site

4.55 On the Aykley Heads site there are two large plots of 6 hectares in total, at the front of the site which will result from the council's relocation away from County Hall. Given that this area is currently in active employment use, it is excluded from the total available land attributed to Aykley Heads in Policy 2 (Employment Land) (Table 3). There are further sites available adjacent to the new Police Headquarters on the former bowling greens, utilising the overflow car park and on the site of the former Durham Trinity School. These areas are unused and undeveloped, providing 3 hectares of employment land, as such they are recognised within Policy 2 (Employment Land) (Table 3).

4.56 It is estimated therefore that the site can accommodate a total floorspace of around 48,698 sqm⁽²⁰⁾ which using the national OFFPAT/HCA employment densities guide⁽²¹⁾ will provide approximately 4,000 jobs⁽²²⁾.

4.57 Aykley Heads is dominated by a variety of landscape environments and settings, which any scheme must respect and work with to ensure that the unique setting is preserved. The site contains dense woodland, open grassland, streams and ponds, as well as shaded slopes and open spaces. The space and variety of these green spaces can be utilised for circulation (linking parts of the site and allowing people to pass through), for activity (whether recreation or education) and to allow the buildings to be set in an attractive landscape, which is a key asset of the Aykley Heads site. There is also an informal parkland area that is well used particularly by dog walkers. As an integral part of the redevelopment of the site and to provide compensatory improvements for the loss of Green Belt there is an opportunity to improve this area preserving and enhancing existing habitats and creating new habitats. The public access into and around Aykley Heads will be retained and improved, creating more attractive gateways into the site particularly from the railway station and Wharton Park.

4.58 Views of the World Heritage Site are a major positive characteristic of the Aykley Heads site but also mean that this is a sensitive site. Therefore, the site will require a truly exemplary development which positively responds to the site's various constraints. To protect sensitive views of the World Heritage Site from locations across the city, the development of the site must have special regard to these views and the impact buildings, in terms of size, materials, massing and layout, would have. Regard will also need to be given to views from the World Heritage Site in terms of the impact of the development. A Heritage Impact Assessment has been carried out for Aykley Heads and this should also inform its future development⁽²³⁾.

4.59 Aykley Heads' location in close proximity to the city's railway and bus stations and on key bus routes, including those used for the Park and Ride, provides excellent access to public transport. New walking and cycle routes will connect the site to surrounding housing, Wharton Park, the railway

20 Gross floorspace.

21 [Employment Densities Guide 2nd Edition](#) (2011).

22 There are currently 2,700 people working on Aykley Heads, the vast majority at the Police HQ and Durham County Council. Those associated with the County Council will be relocated elsewhere within the city and across the county.

23 [Heritage Impact Assessment for Employment](#) (2019).

station and the city centre. In order to ensure that the traffic associated with the new businesses does not have unacceptable impacts on the existing road network we will endeavour to reduce parking provision to the absolute minimum required to serve the proposed development and as a maximum will limit the number of spaces to no more than the current provision of 1281 spaces.

How will the Policy be monitored?**Indicator:**

1. Gross employment floor space completed at Aykley Heads.

Target:

1. 48,698 sqm of floorspace completed.

Distribution of Housing

4.60 The Issues and Options presented four different spatial options for the distribution of housing; Main Town Focus; Sustainable Communities; Sustainable Communities with Central Durham Villages; and Wider Dispersal, set out in the table below.

Table 5 Options for the Distribution of Housing

	Main Town Focus %	Sustainable Communities %	Sustainable Communities with Durham Villages %	Wider Dispersal %
Durham City	28	17	7	5
Central Durham	12	12	21	12
North Durham	6	7	7	10
North West Durham	10	13	13	15
Mid Durham	11	16	16	18
South Durham	14	15	15	18
South East Durham	1	1	1	2
East Durham	14	15	15	16
West Durham	4	4	4	5

4.61 In identifying the Sustainable Communities option as the preferred option comments made during consultation have been fully considered together with the principles set out below. More detail on this is set out in the Spatial Strategy Justification document⁽²⁴⁾.

Sustainability

4.62 The National Planning Policy Framework (NPPF) makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development in terms of its economic, social and environmental impacts. Therefore patterns of growth should be managed so that significant development is focussed on locations which are or can be made sustainable. This limits the need to travel and allows the fullest possible use of public transport, walking and cycling by maximising access to services, facilities and employment opportunities.

4.63 To this end the County Durham Settlement Study⁽²⁵⁾ helps us understand the roles and the access to services and facilities of each of the county's settlements. The study also assists in understanding the relationship between settlements and how they serve social and community needs, where people shop and go to school, work and for leisure. It shows that locating most new housing in the county's larger settlements would maximise the opportunity for residents to travel to work and to other services and facilities by sustainable modes of transport. It also shows that Durham City has more employment opportunities, services, facilities, cultural offer, leisure facilities etc. than any other settlement in the county and should therefore play a major role in the spatial strategy for the county. Other towns with a good range of services and facilities include Bishop Auckland, Consett, Newton Aycliffe, Peterlee and Seaham.

²⁴ [Spatial Strategy Justification](#) (2019).

²⁵ [County Durham Settlement Study](#) (2018).

4.64 The existing location of employment opportunities and associated commuting patterns (which are likely to remain similar in the future) show that in order to maximise access to jobs, to minimise the increase in commuting and to deliver sustainable patterns of development, the focus for new housing should be the county's larger settlements.

4.65 The chosen distribution should also identify appropriate quantities of development in other settlements across the county, to sustain their vitality, support new and existing services and facilities and to provide suitable housing for local communities. It is considered that the Sustainable Communities option best reflects these locational requirements.

Impact on Economic Growth

4.66 The Government is committed to ensuring that the planning system should help create the conditions in which businesses can invest, expand and adapt. NPPF states that plan-making should provide a positive vision for the future and address housing needs and other economic, social and environmental priorities. It can do this by supporting the delivery of the homes, industrial land and units, infrastructure and successful places that the country needs. Every effort should therefore be made to identify and meet the development needs of an area, and respond positively to wider opportunities for growth. It is considered that the Sustainable Communities option gives us the best opportunity to support economic growth and the regeneration requirements of County Durham.

4.67 The County Durham Employment Land Review shows that the settlements in the A1(M) and A19 corridors are more likely to be a regional and national draw for business investment. Other settlements such as Bishop Auckland and Consett serve a more local market. In addition some parts of the county have recently, or are currently experiencing significant new investment. This includes Hitachi at Newton Aycliffe with over 1,000 jobs, a £92 million investment by GSK in Barnard Castle, a £750 million masterplan for Durham University and Durham City Riverside with the new offices for the Passport Office and NS&I and the redevelopment of Milburngate and The Riverwalk.

4.68 To continue our economic progress and the existing and future investment described above we must also have a complementary housing offer with the right types of housing in the right locations. It is therefore necessary to ensure that homes are being built which meet the needs and aspirations of the county's existing and future population by identifying sites in the right locations including releasing some land in high value areas. This ensures that our housing market is not over reliant on products such as Help to Buy and will secure additional affordable housing and other supporting infrastructure.

4.69 It is considered that the Sustainable Communities option will be the most effective in supporting economic growth as it recognises the importance of settlements in the main economic corridors and those that can support continued investment in the county including by ensuring the right homes are provided in the right places.

Effective Use of Land

4.70 The availability of suitable land is a key driver for the distribution of housing. Environmental designations and physical constraints such as flood risk and topography limit the areas of land available for allocation. Land which may be suitable for new housing is examined in great detail in the County Durham Strategic Housing Land Availability Assessment (SHLAA) resulting in a long list of potentially suitable sites.

4.71 NPPF also encourages the effective use of land, including making as much use as possible of land that has been previously developed (brownfield land), provided that it is viable and not of high natural or historic environmental value. County Durham has an excellent record of maximising brownfield land with much of the development that has taken place over the last 20 years bringing such land back into use. The council is also committed to the reuse of brownfield land and to this

end joined the Government's Brownfield Register pilot programme. The County Durham Brownfield Register has been made available as part of the evidence base for the Plan⁽²⁶⁾. The Sustainable Communities option seeks to maximise the use of viable brownfield land wherever possible and this is reflected in the allocations identified in the Plan.

Viability and Delivery

4.72 Evidence within the Local Plan Viability Study⁽²⁷⁾, shows that viability and market attractiveness vary significantly across the county with values fluctuating significantly across short distances. This results in Highest Value areas mainly in Durham City and parts of Chester-le-Street, High Value areas principally in Teesdale and South East Durham, Medium Value in much of the rest of the county and Low Value areas mainly in many of the former coalfield communities. The delivery of development, taking into account the reduced availability of public funding and market signals such as land prices and housing affordability, is a key consideration if our local housing need is to be met.

4.73 Therefore to ensure that the housing, which our existing and future residents need, is actually built, we must provide a good spread of allocations across the county including in the highest and high value areas where delivery is more certain. The Sustainable Communities option best reflects this approach.

The Chosen Spatial Strategy for the Distribution of Housing

4.74 As a result of the considerations set out above, the Sustainable Communities option for the spatial strategy for the distribution of housing is the council's chosen strategy for sustainable development and informs the Plan's housing allocations. It is a dispersed pattern of development located across key settlements in the county and principally focused in and around the towns where the greatest opportunities for employment, services and facilities, public transport and other infrastructure such as healthcare and education exist. This reflects the Plan's Sustainable Development Statement and will ensure we have a balance of housing across the county taking into account the most sustainable locations, market attractiveness and the prospects for regeneration to meet our local housing need. In order to achieve successful places, an appropriate level of new housing is identified in settlements to ensure they can be sustained and be vibrant places to live. Although the distribution of housing and employment land have not been undertaken using the same methodology they are complementary and the location of existing and future employment opportunities has been a key consideration in the selection of the chosen option.

4.75 The Sustainability Appraisal also assessed the options for the distribution of housing in a significant level of detail and concluded that overall, the Sustainable Communities option provides greater opportunities to deliver sustainable patterns of growth in comparison to the other housing distribution options assessed, reduces the need to travel, delivers good quality new housing and affordable housing and supports the county's economy.

4.76 Since the Issues and Options consultation and as a result of houses being built, sites being granted planning permission and assessments of land availability and viability, the percentages for the Sustainable Communities option have evolved slightly and are set out below. However the Sustainability Appraisal has concluded that as the approach is sufficiently similar it would have the same benefits and advantages.

26 [County Durham Strategic Housing Land Availability Assessment](#) (2019).

27 [Local Plan Viability Study](#) (2018).

Table 6 Comparison of Sustainable Communities option from Issues and Options to Submission Draft

	Issues and Options %	Submission Draft %	Change %
Durham City	17	14	-3
Central Durham	12	12	-
North Durham	7	8	+1
North West Durham	13	12	-1
Mid Durham	16	16	-
South Durham	15	16	+1
South East Durham	1	2	+1
East Durham	15	16	+1
West Durham	4	4	-

Policy 4 - Housing Allocations

Policy 4

Housing Allocations

The following sites, as shown on the policies map, are allocated for housing:

Table 7 Housing Allocations

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
DURHAM CITY					
Durham City	H1 (4/DU/157)	Gilesgate School <ul style="list-style-type: none"> the development of Gilesgate School will require a financial contribution to facilitate playing field re-provision within the catchment area. 	2.6	60	PDL
	H2 (4/DU/118)	North of Hawthorn House	0.7	20	Greenfield
	H3 (4/DU/161)	South of Potterhouse Terrace	0.3	10	PDL
	H4 (4/DU/93)	Former Police Skid Pan <p>Development of the site will:</p> <ul style="list-style-type: none"> provide a new Green Belt boundary in the form of a native species hedge to the perimeter of the site; retain the existing tree belt within the middle of the site and provide additional tree planting in gaps within the tree belts to the north, east and south-east of the site; provide compensatory improvements to remaining Green Belt in the vicinity 	1.9	50	PDL

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		including providing new native woodland to consolidate Hopper's Wood to the north and west of the site and developing new and improved footpaths in that area linking to the wider network.			
	H5 (4/DU/101)	Sniperley Park Development of the site will: <ul style="list-style-type: none"> see Policy 5 (Durham City's Sustainable Urban Extension). 	107.8	1700	Greenfield
	H6 (4/DU/104)	Sherburn Road Development of the site will: <ul style="list-style-type: none"> see Policy 5 (Durham City's Sustainable Urban Extension). 	18.7	420	Greenfield
CENTRAL DURHAM					
Bearpark	H7 (4/BE/01)	Cook Avenue Development of the site will: <ul style="list-style-type: none"> deliver local highway improvements including the widening of Colliery Road to a minimum of 6.75m, to complete a loop road connection through the site to Hilltop Road. 	5.6	200	Greenfield
	H8 (4/BE/06)	Cook Avenue North Development of the site will: <ul style="list-style-type: none"> deliver local highway improvements including the widening of Colliery Road to a minimum of 6.75m, to 	2.2	50	Greenfield

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		complete a loop road connection through the site to Hilltop Road.			
NORTH DURHAM					
Pelton/Newfield	H11 (2/PE/11)	Former Roseberry Comprehensive School Development of the site will: <ul style="list-style-type: none"> maintain an access to the adjacent playing pitches. 	2.8	65	PDL
NORTH WEST DURHAM					
Consett	H16 (1/CO/89a)	Former Blackfyne School Development of the site will: <ul style="list-style-type: none"> provide replacement sports changing room; provide a financial contribution towards the improvement of the existing playing fields immediately to the west of the site. 	4.2	100	PDL
	H17 (1/CO/89d)	East of Muirfield Close Development of the site will: <ul style="list-style-type: none"> provide a significant buffer of at least 50 metres adjoining the Ancient Woodland to the east. 	2.0	30	Greenfield
	H18 (1/CO/07, 1/CO/08)	Laurel Drive Development of the site will: <ul style="list-style-type: none"> provide improved pedestrian links with Leadgate local centre; 	14.7	290	Greenfield

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		<ul style="list-style-type: none"> maintain and enhance existing links across the site; include structural planting adjoining the A692; provide a site of at least 2 hectares for a new primary school adjoining Villa Real roundabout. 			
	H19 (1/CO/42)	<p>South of Knitsley Lane</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> include structural planting along the southern boundary and to the south of Redmire Drive to complement that to the south of Langdon Close; provide a substantial area of open space for public access that connects with existing adjoining housing and the Lanchester Valley Walk; contribute to Delves Lane Community Centre for the benefit of new and existing residents; reinforce the existing screening around Delves Lane Primary School; retain the ditch and stream running through the site to create a wildlife corridor (this could also form part of a SuDS solution for the development); consider potential impacts on the setting of High Knitsley Farm (Grade II listed). 	12.3	200	Greenfield

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
	H20 (1/CO/16)	Rosedale Avenue Development of the site will: <ul style="list-style-type: none"> be accessed from Rosedale Avenue. 	2.1	50	Greenfield
MID DURHAM					
Crook	H22 (3/CR/02)	High West Road Development of the site will: <ul style="list-style-type: none"> provide significant structural planting (in the order of 30 to 50 metres wide) along the north western boundary; incorporate pedestrian and cycle routes within and connecting to, adjoining facilities; retain mature hedgerows within the site to form the basis of green corridors and linkages with the wider countryside; locate open space to the rear of existing properties adjoining the site, in order to protect their privacy; provide access from a new roundabout on the A689 with additional traffic calming to be provided on that road. 	15.1	250	Greenfield
Spennymoor	H24 (7/SP/333)	Former Tudhoe Grange Lower School, Durham Road Development of the site will: <ul style="list-style-type: none"> the part of Tudhoe Grange Lower School which includes a former school playing field can only be developed 	3.7	85	PDL

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		<p>subject to an up-to-date PPS identifying a surplus of playing pitches in the catchment in accordance with SE's playing field policy exception E1, or where the pitch can be re-provided in a suitable location in accordance with SE's playing field policy exception E4;</p> <ul style="list-style-type: none"> retain a suitable maintenance access to the adjoining playing pitch to be retained for usage by King Street Primary School. 			
	H25 (7/SP/097)	<p>Former Tudhoe Grange Upper School, St Charles Road</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> the part of Tudhoe Grange Upper School which includes a former school playing field can only be developed subject to an up-to-date PPS identifying a surplus of playing pitches in the catchment in accordance with SE's playing field policy exception E1, or where the pitch can be re-provided in a suitable location in accordance with SE's playing field policy exception E4; incorporate 15 self-build plots; retain the vehicular and pedestrian access to the adjoining playing pitches; incorporate open space and landscaping within the northern part of the site to maintain visual separation 	6.9	110	PDL

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		between Tudhoe Village Conservation Area and Spennymoor.			
Willington	H26 (3/WI/03)	Land to East of Ash Drive Development of the site will: <ul style="list-style-type: none"> provide structural planting along the southern and eastern boundaries; access to be from the existing roundabout on the A690. 	8.9	200	Greenfield
SOUTH DURHAM					
Bishop Auckland	H28 (3/BA/21)	Former Chamberlain Phipps Development of the site will: <ul style="list-style-type: none"> include provision of off-site highways works to mitigate impacts upon local network; incorporate amenity mitigation on the site for future residents - these measures should not impinge on the operational requirements of the existing employment uses adjacent to the site. 	6.1	75	PDL
	H29 (3/BA/31a)	Bracks Road Development of the site will: <ul style="list-style-type: none"> include reinforcement of existing planting along the eastern boundary; incorporate suitable noise attenuation adjoining the A688. 	2.3	50	Greenfield

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
Newton Aycliffe	H30 (7/NA/313)	<p>Copelaw</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> provide a new primary school; provide community facilities in the form of a local centre incorporating A1, A2, A3 and A5 where viable and in accordance with other Plan policies; be accessed from a new junction on the A167 and include the redesign of the existing junction at the north end of Newton Aycliffe and Rushyford roundabout; provide strong pedestrian and cycle links across the A167; include significant structural planting along the entire perimeter of the site; incorporate bus, pedestrian and cycle routes within, and connecting to, adjoining facilities; <p>A further 630 units will be completed on the site beyond the Plan period.</p>	98.6	770	PDL & Greenfield
	H32 (7/NA/326)	<p>Land at Woodham College</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> include peripheral landscaping. 	4.4	100	Greenfield
	H33 (7/NA/186)	<p>Cobblers Hall</p> <p>Development of the site will:</p>	1.8	50	Greenfield

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		<ul style="list-style-type: none"> provide a minimum 20 metre buffer adjacent to the Local Nature Reserve; retain ecological links to the rough grassland areas to the north and south. 			
EAST DURHAM					
Peterlee	H36 5/PE/01a, 5/PE/01b)	<p>North Blunts</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> reinforce existing planting along the western boundary; provide a 15 metre buffer adjoining the Ancient Woodland to the east; provide new or improved green infrastructure and contribute to coastal access measures to off-set increased recreational pressure resulting from development, to satisfy the Habitat Regulations Assessment (HRA). 	2.4	65	Greenfield
Seaham	H37 (5/SE/09)	<p>Seaham Colliery</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> include structural planting along the western boundary; provide new or improved green infrastructure and contribute to coastal access measures to off-set increased recreational pressure resulting from development to satisfy the Habitat Regulations Assessment (HRA); 	10.8	335	PDL

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		<ul style="list-style-type: none"> the full build-out of the site will be dependent on completion of improvements to the junction of the A19 and the A1018. 			
	H38 (5/SE/21)	<p>Former Seaham School</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> include structural planting along the western boundary; provide new or improved green infrastructure and contribute to coastal access measures to off-set increased recreational pressure resulting from development, to satisfy the Habitat Regulations Assessment (HRA). 	3.7	95	PDL & Greenfield
WEST DURHAM					
Wolsingham	H43 (3/WO/20)	<p>Land off Leazes Lane</p> <p>Development of this site will:</p> <ul style="list-style-type: none"> retain and enhance the existing structural landscaping; ensure a successful transition of development with the rural landscape beyond the village edge to the north; assimilate the roofscape of any development with that of the established settlement to minimise visual impact from higher ground (including appropriate roof features and materials); 	3.2	40	PDL

Settlement	Ref	Site	Gross Site Area (Ha)	Estimated Yield	Greenfield/ Previously Developed Land
		<ul style="list-style-type: none"> ensure the setting of the identified heritage assets and the role this plays in the significance of such assets are fully understood and addressed in the development of detailed proposals for the site; the part of Wolsingham Leazes Lane which includes a former school playing field can only be developed subject to an up-to-date PPS identifying a surplus of playing pitches in the catchment in accordance with SE's playing field policy exception E1, or where the pitch can be re-provided in a suitable location in accordance with SE's playing field policy exception E4. 			
Total					5,470

Planning applications for housing on these allocations, that are in accordance with the site specific requirements in this policy and any infrastructure constraints identified in the Infrastructure Delivery Plan, will be approved if the proposed scheme is in accordance with other relevant policies in the Plan.

4.77 We believe the sites allocated in this policy are the most appropriate to deliver the new homes we need to ensure that we meet our Local Housing Need (LHN), making the effective use of land and utilising previously developed land where it is available and viable. These allocations, together with the other elements of housing supply such as sites with planning permission and under construction, will provide the range and choice of sites to meet our needs and deliver the preferred spatial strategy for the distribution of housing in County Durham.

4.78 By allocating a site we are establishing the principle that the development of the site for housing is acceptable. Site allocations are important because they help local people understand what will happen in their neighbourhood in the future and give certainty to developers and landowners. They also allow the council and infrastructure providers to assess the cumulative impact of development and enable us to plan for future needs such as transport schemes, school places and water infrastructure. Allocations are positive policies which promote the development of a site and help

ensure the right type of development happens. If a site is not allocated, it may still be suitable for development, subject to other relevant policies in the Plan and in particular Policy 6 (Development on Unallocated Sites). When identifying sites consideration has been given to likely delivery to ensure a continuous supply of suitable available land can be maintained.

4.79 In order to ensure choice and competition in the market for land every local authority is expected to demonstrate that they have a rolling five year supply of deliverable sites, calculated against the LHN in Policy 1 (Quantity of Development), with a buffer of 5%, 10% or 20% added depending on past delivery.

4.80 In a local plan we are expected to identify developable sites or broad locations for years 6-10 of the Plan period and, where possible, for years 11-15. To fulfil these requirements and to provide additional certainty we have chosen to identify allocations for the full Plan period up to 2035. Table 1 in the supporting text to Policy 1 (Quantity of Development) shows that our LHN is 24,852. Once the other sources of supply are taken into account we need to allocate sufficient sites to accommodate at least 5,323 houses.

4.81 It is likely that in the future, a number of Neighbourhood Plans will also allocate housing sites. These will be in addition to those in the County Durham Plan and will provide some additional flexibility in allowing us to meet our LHN. It should also be noted that the number of homes identified in this Plan is a target and not a ceiling, if housing completions do exceed this level then this will be reflective of a buoyant housing market.

Strategic Housing Land Availability Assessment

4.82 The Strategic Housing Land Availability Assessment (SHLAA)⁽²⁸⁾ is the primary source of potential housing sites to be considered for allocation. Sites in the SHLAA have been derived from a number of sources including:

- previous unimplemented housing allocations;
- surplus employment sites identified in the Employment Land Review;
- sites submitted by land-owners and developers;
- sites proposed by communities, parish and town councils and members of the public; and
- other sites known or owned by the council.

4.83 All sites have been assessed by a multi-disciplinary team which considered; settlement pattern and form; road access and highway safety; flood risk; impact upon landscape, ecology and heritage; as well as other planning considerations such as accessibility to services and facilities and adjoining land uses. Infrastructure constraints; viability; deliverability; and marketability were also considered. All 'Green' and 'Amber' sites were then subject to Sustainability Appraisal to give an understanding of their sustainability credentials and any possible mitigation requirements. This was undertaken against the criteria in our Sustainability Appraisal screening matrices⁽²⁹⁾. The SHLAA Partnership (the council, The Home Builders Federation, registered providers, estate agents and community representatives) collectively considered the resulting categorisation of sites as 'Green' (potentially suitable for housing), 'Amber' (potentially unsuitable) and 'Red' (unsuitable) and delivery time frames

²⁸ [Strategic Housing Land Availability Assessment](#) (2019).

²⁹ [Sustainability Appraisal Report Appendices](#) (2019).

for suitable sites. This three stage process, which was undertaken in consultation with external agencies and infrastructure providers, resulted in the identification of the sites to be considered as the allocations in this policy.

Selecting the Allocations

4.84 The spatial strategy for the distribution of housing section is informed by the Plan's Sustainable Development Statement. For the reasons set out previously we have chosen the Sustainable Communities option and this has been used as the starting point for the distribution of houses and identifying allocations, bearing in mind the other sources of supply such as existing commitments, bringing empty properties back into use etc. We also have to take into account the availability of suitable, viable sites and therefore used the following approach to identify where housing allocations should be located to meet our LHN and our chosen distribution of housing:

- Using the list of settlements in the order identified in the Settlement Study⁽³⁰⁾ suitable, deliverable, viable⁽³¹⁾ brownfield sites were identified in each monitoring area;
- If the list of brownfield sites was insufficient, the exercise was repeated but this time suitable, deliverable, viable greenfield sites were identified;
- Once these suitable deliverable sites were exhausted sites, within inset settlements and beyond the outer Green Belt boundary were considered and only then sites within the Green Belt.

4.85 The inability to meet our full LHN on suitable, deliverable, viable sites supports the exceptional circumstances which justifies consideration of sites in the Green Belt⁽³²⁾. Therefore in line with the Sustainable Communities option once the suitable brownfield sites and greenfield sites (non Green Belt) in Durham City were identified, the residual figure that remained was allocated on sites in the Green Belt as set out in Policy 5 (Durham City's Sustainable Urban Extensions)⁽³³⁾.

Site Delivery and Yield

4.86 In some cases the site allocations require specific on site improvements such as structural landscaping which are needed to ensure a site does not have an unacceptable adverse impact. These have been identified in the policy and must be addressed when planning applications are submitted for these sites. There may also be infrastructure requirements, as identified within this policy and the Infrastructure Delivery Plan, which may have an impact on the delivery and timing of the sites and will need to be addressed.

4.87 All sites will need to include sustainable drainage features to mitigate for run-off and flood risks, where relevant. These may include areas particularly at risk of surface water and ground water flooding, and sites which fall within source protection zones.

4.88 The policy also includes an estimate of the number of dwellings to be delivered on each site. This was determined by adopting an average density (30 houses to the hectare) and net developable area. Where we were aware of a specific site constraint e.g. topography this was also taken into account. These yields enable us to confirm that the sites allocated are sufficient to contribute to the housing supply fulfilling the LHN. It should be noted however that they are only indicative and could be lower or higher depending on the specific circumstances of each site.

30 [Settlement Study](#) (2018).

31 Viability as determined in the Local Plan Viability Study [Local Plan Viability Study](#) (2018).

32 See introduction to Policy 5 (Durham City's Sustainable Urban Extensions).

33 [Green Belt Assessment](#) (2018).

How will the Policy be monitored?

Indicator:

1. Number of units approved and completed on allocated housing sites.
2. Status of five year land supply/delivery test.
3. Delivery of infrastructure requirements as set out in the policy.

Target:

1. Annual Housing Delivery Target - based on the Housing Trajectory.
2. At least a five year supply and meeting the delivery test in accordance with the NPPF.
3. 100%.

Policy 5 - Durham City's Sustainable Urban Extensions

4.89 Durham City is the largest settlement in the county with a total population of 44,886 people (Census 2011) and employing 33,940 people (Business Register and Employment Survey 2016). This is substantially greater than the next largest towns across the county as set out within the Spatial Strategy Justification⁽³⁴⁾. Durham City also serves as the key town in terms of access to services and facilities, offering significantly more than the next town Bishop Auckland⁽³⁵⁾. Durham City also performs a key supporting role for many of its surrounding villages by providing services such as secondary education. These together with Durham City's role as a transport hub, including Durham railway station and bus station, indicate that the city should play an important role in meeting housing needs and delivering sustainable patterns of growth.

4.90 Durham City is also steeped in history and heritage, home to the Durham Castle and Cathedral World Heritage Site and Durham University, which is internationally renowned and attracts some of the highest calibre students in the UK and the world. These key assets contribute to the city's identity and distinctiveness.

4.91 A full and robust assessment of brownfield sites and other urban land has been undertaken within the Strategic Housing Land Availability Assessment (SHLAA)⁽³⁶⁾ and the Brownfield Land Register⁽³⁷⁾ to understand the level of suitable, deliverable land across the county.

4.92 As at 30th September 2018, 969 houses had planning permission within Durham City. This is significantly lower than the surrounding Central Durham monitoring area where the number of houses with planning permission was 2,064. Without the release of Green Belt land, Durham City would only be able to contribute around 6% of the total housing need of 24,852 houses. This is not sufficient for what is the county's largest and most sustainable settlement. Furthermore the Local Plan Viability

34 [Spatial Strategy Justification](#) (2019).

35 As set out in the County Durham [Settlement Study](#) (2018).

36 [Strategic Housing Land Availability Assessment Report](#) (2019).

37 [Strategic Housing Land Availability Assessment \(2019\) and Brownfield Land Register](#).

Assessment⁽³⁸⁾ confirms that Durham City is the highest value area of the county, in terms of viability and delivery, and is therefore the best opportunity to meet the county's housing and affordable housing needs. This approach aligns with the Plan's spatial strategy and distribution of housing.

Exceptional Circumstances

4.93 We attach great importance to the Green Belt. However, and as required by the National Planning Policy Framework (NPPF) we believe there are exceptional circumstances which justify the removal of some land from the Green Belt. The NPPF is clear that when alterations to the Green Belt are being contemplated that the need to promote sustainable patterns of development should be taken into account. The exceptional circumstances are set out in the Exceptional Circumstances document and whilst both Sniperley Park and Sherburn Road perform strongly against some of the Green Belt purposes, on balance the benefits clearly outweigh the harm to the Green Belt⁽³⁹⁾ and in summary are as follows.

- Ensuring sustainable patterns of development are achieved by building on Durham City's position as the county's employment centre, regional transport hub and regional centre for services and facilities, such as secondary schools and health facilities. This would provide greater opportunities to achieve locational sustainability and secure social, economic and environmental improvements compared to a more dispersed housing distribution;
- Maximising the number of journeys undertaken by sustainable means such as walking, cycling and public transport and minimising overall journey distances and times. This will help address congestion and associated issues such as air quality and carbon emissions and enable the creation of a more sustainable transport network across the city;
- Providing the right type of housing to meet the needs and aspirations of existing and future residents and a housing stock which supports the economy of the county and the need for more and better jobs;
- Helping address economic under-performance across the county by supporting the economic potential of Durham City and the delivery of Aykley Heads by capturing business and investment growth, retaining graduates and creating opportunities to increase and retain spending in the city, supporting an improved retail offer and reducing the impact of the fluctuation in population between University terms; and
- Maximising the delivery of affordable housing and other infrastructure by locating development in the highest viability areas around Durham City.

Policy 5

Durham City's Sustainable Urban Extensions

In order to meet housing need and to promote sustainable patterns of development, land at Sniperley Park and Sherburn Road, as shown on the policies map, are allocated for planned urban extensions and will be removed from the Green Belt. Development is required to be comprehensively masterplanned and to demonstrate how the phasing of development on these sites will have regard to the provision and timing of the infrastructure and services necessary to support them.

38 [Local Plan Viability Assessment](#) (2018).

39 [Green Belt Assessment](#) (2018).

The sites will deliver attractive, well designed places, incorporating sustainable development principles, adopting sustainable construction methods, and using appropriate densities across the sites in accordance with Policy 29 (Sustainable Design in the Built Environment). Design codes will be utilised to ensure distinctive, high quality design outcomes for the sites.

The sites will incorporate an appropriate mix of house types and tenures to reflect housing need including housing for older people and affordable housing in accordance with Policy 15 (Addressing Housing Need). Development will comprise of:

1. 1,700 houses at Sniperley Park; and
2. 420 houses at Sherburn Road.

Sniperley Park

- a. Sniperley Park will be a sustainable urban extension incorporating a centrally located local centre which will act as the focus for community activity, including convenience retail provision for A1 floorspace and an allowance for A2, A3 and A4 units to facilitate a viable and vibrant community. The local centre will also include a building suitable to be used as a health centre;
- b. a new primary school will be provided of a scale which will meet the expected requirement for school places generated by the new housing development. The primary school should be readily accessible to public transport, walking and cycling routes. The primary school will contain associated playing fields which will replace those lost at the southern end of the site and will be of an equivalent or better quality; equivalent quantity and available for use by both the school and by community teams via a community use agreement;
- c. structural landscaping will be required along the A167 and the southern edge of the new road from the A691 to the Pity Me Roundabout to ensure suitable screening and that the perception of an extension to Durham City is minimised;
- d. a surface and foul water drainage management plan incorporating SuDS will be required with no further water draining into the Blackdene Burn. Where possible wider opportunities for improvement of local water quality should be explored;
- e. the design of development in the vicinity of Sniperley Hall and Farm will have regard to their character and setting, and the recognition of the area as an Historic Park and Garden of Local Interest, including through the provision of public open space and the use of reduced housing densities. The woodlands in that area will be retained;
- f. any visual association with the Durham Castle and Cathedral World Heritage Site will be given special regard to reflect its significance;
- g. as a major benefit to new and existing residents, a linear park will be provided in perpetuity through the centre of the site. It will run from Folly Plantation in the north, through the former Cater House Pit to the parklands of Sniperley Hall in the south. The park will comprise of approximately 25 hectares of public open space, wildlife habitats, playing fields and community woodlands connected by a network of footpaths and cycleways linking housing areas with the local centre, the wider countryside and the urban areas to the east. It will incorporate the mature woodlands and tree groups of Sniperley Park, maintaining the

relationship of the Hall with land to the north and with Sniperley Farm, having regard to their setting. It will incorporate the habitats of the former Cater House Pit and Folly Plantation, providing new linkages between them and the wider countryside;

- h. schemes of compensatory improvements to the environmental quality and accessibility to the remaining Green Belt will be provided:
1. on land north and south of the A691 to the south of the site to include, the planting of new hedgerows, woodland, parkland trees and hedgerow trees, habitat creation to buffer existing features and new public rights of way linking to the wider footpath network in the Browney Valley to the south; and
 2. on land north of Potterhouse Lane and south of Little Gill, to the north of the site, to include the planting of new hedgerows and gapping up of existing hedgerows, the planting of new hedgerow trees, the planting of new woodland along Little Gill and on steeper slopes to connect existing woodland with woods to the east, habitat creation to buffer existing features, and new public rights of way providing opportunities for circular walks and linking to the wider footpath network to the north.
- i. opportunities for a district heating network will be explored given the site's proximity to Lanchester Road Hospital and Aykley Heads;
- j. in order to achieve sustainable and cohesive communities, the development must be connected to the existing development to the east of the A167 through suitable, convenient, safe and attractive cycleways and footpaths;
- k. the expansion of the Sniperley Park and Ride facility will be required. Attractive and safe links between the housing and the existing Park and Ride facility will be created to maximise its use by residents;
- l. to ensure that there are no unacceptable impacts on highway safety or severe residual cumulative impacts on the wider road network (in terms of capacity and congestion), details of all necessary on and off-site highway works and improvements, together with a timetable for their implementation, shall be agreed with the council as part of the comprehensive masterplan and any future planning applications for the Sniperley Park site. These works and improvements shall include, but not be limited to:
- improvements at the junctions of Trout's Lane, Potterhouse Lane and the B6532;
 - a new link between the B6532 and the A167 park and ride roundabout; and
 - capacity improvements along the A167 corridor from Neville's Cross to Sniperley, including improvements to Sniperley Roundabout.

A contribution to delivering sustainable transport in accordance with policies 21 (Delivering Sustainable Travel) and 22 (Durham City Transport) will also be required.

Sherburn Road

- m. Sherburn Road will be developed to help support regeneration efforts in the adjoining estate by offering a greater diversity of housing offer within the area;

- n. the design of Sherburn Road will provide a positive gateway for Durham City particularly from the A1(M) and protect the character and integrity of Bent House Farm. Development should protect the character of Old Durham Beck and Old Durham;
- o. outward views to the Durham Castle and Cathedral World Heritage Site will be retained and framed with any effects on the inner setting of the World Heritage Site minimised and harmful impacts avoided;
- p. a community building will be incorporated on site or the development will deliver the improvement of an existing community building on the Sherburn Road Estate;
- q. developer contributions will fund the necessary additional school places that are generated by the new housing development;
- r. there is an opportunity for Sherburn Road to deliver a combined Sustainable Drainage attenuation scheme in order to manage surface water drainage into the Old Durham Beck which will deal with surface water from the development as well as exploring the potential to deal with drainage from the A1(M) with Highways England;
- s. compensatory improvements to the remaining Green Belt will be provided, to maintain and enhance the rural character of the valley side and to provide improved public access and ecological value. The planting of new hedgerows along with the gapping up of existing hedgerows will enhance and strengthen field patterns. Structural landscaping to the south of the existing Sherburn Road Estate will improve the character of the wider area. Ecological enhancements will be provided in the area leading down to Old Durham Beck to provide better linkages to existing footpaths through to Pelaw Woods and the city centre and provide benefits to the setting of the buildings at Old Durham;
- t. the woodland on the boundary with the A1(M) will be enhanced to ensure appropriate screening and noise attenuation where required. The planting on the southern boundary should be sufficient and at least 20 metres wide, to ensure that the perception of the extension of Durham City is minimised in views from the A1(M). This area will remain in the Green Belt; and
- u. the development must be integrated with existing development to the north of the A181 and west of Bent House Lane, including facilitating safe and convenient crossing points for all users to ensure sustainable and cohesive communities. A network of multi user paths must be created with a number of circular routes of varying lengths ensuring the network is functional for local users, as well as providing connections to existing well used footpaths. An enhanced recreational route attractive to all users linking Sherburn Road to Durham City centre must also be provided.

In order to reduce the dominance of car traffic and improve the permeability, both sites will incorporate convenient, safe and high quality bus, pedestrian and cycle routes within, and connecting to, adjoining facilities. A Transport Assessment and Travel Plan for each site will also be required to ensure that reliance on the private car is reduced and to mitigate the impact of increased traffic in accordance with Policy 21 (Delivering Sustainable Travel) and Policy 22 (Durham City Transport). The movement frameworks of each site should also incorporate any relevant schemes within the Durham City Sustainable Transport Delivery Plan.

The sites will incorporate an interconnected network of good-quality, multi functional green infrastructure including an adequate supply of different types of open space, in accordance with Policy 26 (Green Infrastructure). An appropriate and enhanced landscape structure with clearly defined boundaries will also be developed to ensure permanent Green Belt boundaries which are capable of enduring beyond the Plan period.

4.94 In accordance with the Plan's chosen spatial strategy and housing distribution, and after demonstrating exceptional circumstances alongside a comprehensive assessment of the Green Belt⁽⁴⁰⁾, sites at Sniperley Park and Sherburn Road have been identified as suitable, sustainable urban extensions. The Green Belt Assessment, which has taken into account advice from the Planning Advisory Service, other best practice and discussions with Historic England, found that both sites did perform a role against the five purposes as set out in the National Planning Policy Framework (NPPF).

4.95 The Green Belt Assessment concludes that Sniperley Park performs strongly against checking unrestricted sprawl and safeguarding the countryside from encroachment and moderate against preventing neighbouring towns from merging, preserving the setting and special character of historic towns and assisting in urban regeneration. The Green Belt Assessment also concludes that Sherburn Road performs a strong role against safeguarding the countryside from encroachment and a moderate role against checking the unrestricted sprawl, preventing neighbouring towns from merging and assisting in urban regeneration. It performs weakly against preserving the setting and special character of historic towns. However the Exceptional Circumstances document⁽⁴¹⁾ concludes that the benefits associated with the development of these sites in line with the Plan's spatial strategy outweighs the harm to the Green Belt.

4.96 These sites will be developed to the high standards necessary to make them attractive and sustainable places to live. Although some specific policy cross-references are mentioned in this policy, future planning applications for the strategic sites will conform with any relevant policies of the Plan.

4.97 The sustainable urban extensions to Durham City will become strong, vibrant and healthy communities by creating a high quality built environment using an agreed design code and adopting principles of the Garden City movement including accessible local services. The use of clear boundaries such as Potterhouse Lane and the provision of structural landscaping where required will create strong and defensible boundaries to the Green Belt which are required to ensure permanence. The areas deleted from the Green Belt will be contiguous with the red line boundaries of the proposed allocations with the exception of the Fire Station on the A691 which will also be removed to leave a more logical boundary. The 20 metre woodland planting strip to the south of Sherburn Road will remain in the Green Belt.

4.98 Compensatory improvements will be made to the environmental quality and accessibility of the remaining Green Belt particularly where opportunities exist to create new or enhanced green infrastructure, woodland planting, landscape and visual enhancements, improvements to biodiversity, habitat connectivity and natural capital, new or enhanced walking and cycling routes, improved access to new, enhanced or existing recreational provision and to deal with any existing environmental issues.

40 [Green Belt Assessment](#) (2018).

41 [Exceptional Circumstances](#) (2019).

4.99 In order to ensure a wide choice of high quality homes which cater for the needs of different groups including families with young children, older people, people with disabilities and self-builders, it is envisaged that the sites will be developed by a number of builders, providing different products across the sites working to overall masterplans.

Sniperley Park

4.100 Sniperley Park is predominantly agricultural land, although there are also a number of existing playing pitches and a small local wildlife designation within the site. It is situated immediately to the east of Framwellgate Moor and Pity Me and to the south of Sacriston. The site's eastern boundary follows the A167 Durham Road and the northern boundary is along Potterhouse Lane and Trout's Lane. New College, Durham is sited adjacent to the southern end of the site with residential development extending northwards. Sniperley Hall historic park of local interest with its walled gardens and parkland and Lanchester Road Hospital are located along the western boundary. Sniperley Park and Ride is immediately to the south of the site at the junction of the A167 and the A691.

4.101 The site rises gradually northwards to a ridge at the northern extent providing a strong visual boundary from higher ground. Views outwards from the site are semi-rural in character to the north and west but become increasingly urban closer to the A167 in views towards the settlement edge. The site does not form part of the setting to the World Heritage Site (WHS) and views of Durham City and the WHS from the site are very limited owing to the historic core being generally screened from view by intervening topography and buildings.

4.102 The development of Sniperley Park will deliver 1,700 new homes along with associated retail, services and facilities contributing to meeting housing needs and creating a viable, vibrant and self-sustaining mixed community. It will also promote innovative approaches to sustainable design which reflect current best practice in order to deliver a sustainable development supported by appropriate supporting utilities and infrastructure.

4.103 The new local centre which will include retail, community and other services will be located adjoining the B6532 to ensure access to public transport and provide a focus for the development. One new primary school will also be provided.

4.104 The site will be an exemplar of design quality and sustainable development and include a strong landscape framework and green infrastructure network that will capitalise on the site's natural features, ensure integration with the surrounding landscape and provide compensatory benefits to offset the loss of Green Belt. The mature woodland at Folly Plantation and habitats of the former Cater House Pit will be retained within the development as a part of a linear park. The park will be retained in perpetuity and will extend through the centre of the site from the parklands of Sniperley Hall in the south to Folly Bridge in the north. Any future planning application(s) will need to provide a proportionate contribution to the linear park based upon the planning application site area relative to the site's total allocation (107.8 Ha), ensuring it is provided across the full site extending through the centre of the site from the parklands of Sniperley Hall in the south to Folly Bridge in the north and will be retained in perpetuity. Compensatory improvements to the remaining Green Belt land between Potterhouse Lane and Little Gill to the north of the site and south of the A691 to the south of the site will be required which will enhance the landscape and biodiversity of those areas while improving linkages with the wider countryside and to the urban areas to the east of the site. This will ensure beneficial enjoyment of both the linear park and remaining Green Belt for the residents of the site and those living nearby. In addition, the wildlife potential of these areas and across and beyond the wider site will be enhanced. Development will embrace environmental standards to provide an attractive living environment, including opportunities for recreation. Enhanced opportunities for sustainable access to the city centre and surrounding areas for public transport, walking and cycling, will also be created.

4.105 The southern part of the Sniperley allocation currently contains playing fields with 5 pitches marked. The pitches have no changing facilities associated with them. Like for like or improved alternative playing field provision will be required as part of the Sniperley Park development. The need for a new primary school has been identified for the site which will also provide these replacement playing fields which will be used both by the school and by community teams via a formal community use agreement. The precise layout and configuration of pitches to be laid out within the school playing fields will be determined by the Playing Pitch Strategy and associated action plans.

Sherburn Road

4.106 The site is located on the eastern edge of Durham City close to Carrville and Belmont. The A181 Sherburn Road forms the northern boundary of the site. This road serves as a significant artery for the city accessing the eastern villages and beyond to the Tees Valley and the A19. Although the A1(M) forms the eastern boundary of the site, it is not directly accessible, the nearest point of access being Junction 62 some 2 kilometres to the north. The site forms part of the plateau of high land which includes most of Gilesgate and Belmont. To the south, the land falls steeply to the River Wear. Further to the east and south east, the land rises steeply to form the Magnesian Limestone Escarpment.

4.107 Sherburn Road will create a sustainable urban extension with 420 new homes. It will provide regeneration benefits to the wider Sherburn Road area by adding to the mix of housing opportunities, improving access to jobs and encouraging employment and higher incomes in a deprived area of the city. The site will be one of the first visible signs of Durham City when travelling northwards on the A1(M) and should therefore present an attractive gateway to the city. The site also lies in the backdrop of the World Heritage Site in some views from the west although it is largely screened by existing housing. The existing woodland along the boundary with the A1(M) will be strengthened to protect against any perceived increase in the scale of Durham City.

4.108 The design will protect the character and integrity of Bent House Farm, Old Durham Beck and Old Durham. The development should maximise pedestrian links to Durham City and the River Wear, incorporate Bent House Lane and provide a link to the existing Sherburn Road Estate. The remainder of the site on the southern boundary will then be landscaped and integrated with the compensatory improvements to the remaining area of Green Belt nearby to enhance its enjoyment by residents and the wider community and its value for wildlife.

How will the Policy be monitored?

Indicator:

1. Gross housing units approved and completed by site.
2. Delivery of infrastructure requirements as set out in the policy and an agreed project plan.

Target:

1. Annual Housing Delivery Target - based on the Housing Trajectory.
2. On track in accordance with the project plan.

Policy 6 - Development on Unallocated Sites

Policy 6

Development on Unallocated Sites

The development of sites which are not allocated in the Plan or in a Neighbourhood Plan which are either (i) within the built-up area; or (ii) outside the built-up area (except where a settlement boundary has been defined in a neighbourhood plan) but well-related to a settlement, will be permitted provided the proposal accords with all relevant development plan policies and:

- a. is compatible with, and is not prejudicial to, any existing, allocated or permitted use of adjacent land;
- b. does not contribute to coalescence with neighbouring settlements, would not result in ribbon development, or inappropriate backland development;
- c. does not result in the loss of open land that has recreational, ecological or heritage value, or contributes to the character of the locality which cannot be adequately mitigated or compensated for;
- d. is appropriate in terms of scale, design, layout, and location to the character, function, form and setting of, the settlement;
- e. will not be prejudicial to highway safety or have a severe residual cumulative impact on network capacity;
- f. has good access by sustainable modes of transport to relevant services and facilities and reflects the size of the settlement and the level of service provision within that settlement;
- g. does not result in the loss of a settlement's or neighbourhood's valued facilities or services unless it has been demonstrated that they are no longer viable;
- h. minimises vulnerability and provides resilience to impacts arising from climate change, including but not limited to, flooding;
- i. where relevant, makes as much use as possible of previously developed (brownfield) land; and
- j. where appropriate, it reflects priorities for urban regeneration.

4.109 This policy recognises that in addition to the development of specifically allocated sites, there will be situations where future opportunities arise for additional new development over and above that identified in the development plan for the area. This policy sets out the circumstances where such opportunities will be acceptable. This will include new build housing on suitable previously developed or greenfield sites, as well as conversions to accommodate new uses, the expansion or replacement of existing buildings, along with proposals including for example live/work units, community facilities, leisure, specialist living accommodation, small scale retailing, employment, infrastructure and other economic generating uses.

4.110 This policy applies to new development proposals within existing built-up areas or outside the built-up area but which are well-related to a settlement. For the purposes of this policy the built-up area is contained within the main body of existing built development of a settlement or within a settlement boundary defined in a neighbourhood plan. When assessing whether a site is well-related, the physical and visual relationship of the site to the existing built-up area of the settlement will be a key consideration.

4.111 We want to ensure that new development does not detract from the existing form and character of settlements and will not be harmful to their surroundings. Therefore, not all undeveloped land within the built-up area will be suitable for development. Where buildings already exist on site, their retention will be encouraged where they make a positive contribution to the area or have intrinsic value. In determining whether a site is appropriate for new development, the relationship with adjacent buildings and the surrounding area will be taken into account along with the current use of the site and compatibility of the proposal with neighbouring uses. New development should also not contribute to coalescence with neighbouring settlements, result in ribbon development or inappropriate backland development.

4.112 Under the Localism Act 2011, communities can nominate important local buildings and facilities as 'assets of community value' (e.g. shops, public houses, cultural buildings) for inclusion on a central list held by the council. If the owner of a building on this list wishes to sell it, they must then conform to the Community Right to Bid procedure. This means that if the community are interested in buying the asset they have six months to prepare a bid to buy it before the asset can be sold. Proposals which would result in the loss of a community facility which has been included on that list or is the last remaining facility of that type which is considered essential to the continuing sustainability of the settlement or neighbourhood will be resisted unless it can be demonstrated that the facility is no longer viable. To demonstrate that such a building or facility is not viable the applicants must be able to evidence that the premises has been advertised as a going concern in the press, online and on-site, at least four times within a six month period and all reasonable offers have been explored. This evidence will be considered on a case by case basis⁽⁴²⁾.

4.113 New development should seek to minimise the use of resources, including by the recycling of previously developed land. It is also vital to plan buildings and communities that are resilient to potential climate change impacts. Development must therefore be designed to withstand future weather trends as flooding events and heat waves will become a much more regular occurrence. For example, the use of green and brown roofs, and sustainable drainage systems will be encouraged.

4.114 Where a neighbourhood plan defines a settlement boundary and is sufficiently advanced to have weight in decision making, development outside of the settlement boundary will be determined in accordance with the relevant policy in the neighbourhood plan.

4.115 In the case of conversions and replacement buildings, proposals should not significantly increase the size or impact of the original building where this would have an adverse effect on the character of the surrounding area or the amenity of neighbouring occupiers. Similarly, the sub-division and intensification of dwellings should not result in concentrations of such dwellings to the detriment of the range and variety of the local housing stock.

4.116 For householder development and minor alterations to existing buildings which do not involve a change of use or increased floor space, Policy 29 (Sustainable Design) should be used rather than this policy.

42 Neighbourhoods are listed in the Clustering section of the County Durham [Settlement Study](#) (2018).

How will the Policy be monitored?**Indicator:**

1. Number of housing units permitted and completed on unallocated sites on sites of 11 units or fewer.
2. Number of housing units permitted and completed on unallocated sites on sites of 12 units or greater.
3. Amount of employment space permitted and completed on unallocated sites.
4. Amount of retail floor space permitted beyond a defined town centre.
5. Number of valued facilities or services lost by settlement and neighbourhood.

Target:

1. No Target.
2. No Target.
3. No Target.
4. No Target.
5. Zero.

5 Core Principles

5.1 The council deals with approximately 4,500 planning applications per year and these can be wide ranging from works to trees and single storey extensions through to major applications for housing sites and business premises. Planning applications are to be determined in accordance with the statutory development plan, unless other material considerations indicate otherwise.

5.2 The Plan is the opportunity to provide a consistent planning policy framework across the county. This will provide certainty to communities, businesses and developers to ensure that planning applications can be processed and decisions made in a timely, consistent and appropriate manner. The following sections, in conjunction with the Vision and Objectives, set out the policies on a thematic basis.

Building a Strong Competitive Economy

5.3 As clearly set out at the start of this Plan, a key priority of the council and its partners is to improve economic performance and reduce deprivation in County Durham to ensure that all of its residents have equal access to quality job opportunities. Over the last 30 years the county has gone through significant structural economic change with the decline of its traditional industries and the pressure of globalisation.

5.4 Over this period, government initiatives and public sector investment enabled the development of regeneration programmes and settlement renewal. However, despite the receipt of significant resources and sustained efforts to attract inward investment to support the creation of new jobs and businesses, economic performance has been mixed and areas of deprivation within the county continue to exist. The fundamental challenge therefore is to improve the economic performance of the county.

5.5 We also need to be aware of the regional context and major proposals in our neighbouring authorities. In particular, we will need to monitor the progress of the proposed International Advanced Manufacturing Park (IAMP), a 150 hectare site to the west of the A19 near Sunderland. The park would provide modern business premises close to existing employers and would build on the region's advanced manufacturing heritage, creating approximately 7,850 new jobs. Given the proximity to County Durham it is likely that there will be some impacts on the county which will need to be assessed as more detail becomes available.

5.6 As well as ensuring that the county has the right levels of employment land in the right locations, we believe that the Plan should also identify locations where new and emerging sectors may seek to locate into County Durham. This approach is advocated in the National Planning Policy Framework (NPPF) and the recent investment of Hitachi at Newton Aycliffe is an example of where this may create the potential for further new investment. The allocation of additional employment land within such locations would allow us to exploit these opportunities.

5.7 Another factor which would impact on the future economy of the county is its changing age structure. Unprecedented demographic change due to the population ageing and the reduction of the number of people that are economically active, makes it challenging to maintain an adequately sized labour force and to maintain and increase the overall rate of employment. This is particularly the case in County Durham where the average age of the population is projected to increase considerably over the next 25 years, with a larger proportion of the population in the older age-groups.

Durham University

5.8 Durham University makes a strong, positive contribution to the local, regional and UK economy, for example through direct investment, as a large employer, an extensive supply chain and staff and student spending. It produces high calibre graduates who in turn generate wealth. The University

also participates in the Knowledge Transfer Partnership - a UK wide initiative designed to enable businesses to access the knowledge and expertise available within UK Universities and is a centre for research in its own right.

5.9 The University's new strategy identifies the future size and shape of the University which will be needed to support their vision of 'world-leading in research, education and the wider student experience'.

5.10 To enable this new Strategy the University has consulted on its Estate Masterplan. This document provides a guide to how the University could develop its estate over the long-term. The University's aspiration is to house 50% of students in college affiliated accommodation by 2027. This will be achieved by developing new build colleges on Durham University land and working in partnership with purpose-built student accommodation (PBSA) providers.

5.11 Durham University is one of the country's leading institutions, attracting the highest calibre of students. The University is committed to increasing both the number of students from the county and the graduates retained in the area. Working with the University provides a major opportunity and is a priority for improving the county's economy by providing adequate and appropriate space to facilitate investment related to the work and research of the University and the conditions in which graduates want and have the opportunity to stay within the county. Given the University's location within Durham City there may be particular opportunities related to the development of the Aykley Heads site as well as their continued contribution at NetPark in Sedgefield.

5.12 The Plan also includes policies against which any future proposals related to the University will be considered, in particular Policy 16 (Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation).

Visitor Economy Introduction

5.13 The visitor economy is an important and resilient part of the County Durham economy, worth over £807million a year and consistently sustains the equivalent of around 11,682 full time jobs⁽⁴³⁾. But there remains a great deal of untapped potential. A healthy tourism industry can help sustainable economic growth, and contribute to prosperous communities and attractive environments.

5.14 County Durham aims to offer a visitor experience that matches its outstanding natural landscapes and its internationally famous built heritage. The development priorities for the visitor economy are identified and assessed through the Durham Tourism Management Plan (DTMaP). This is produced by Visit County Durham, the official Destination Management Organisation for County Durham, which coordinates the development of the visitor economy and manages and markets the county as a destination. Visit County Durham offers support and guidance to potential tourism developers through the Investment Evaluation Process. This ensures that projects are desirable in terms of market need, viability, sustainability⁽⁴⁴⁾ and how they would impact on visitors, the economy, the tourism industry, the environment and residents. One of the key roles of the DTMaP process is to ensure that potential investment is based on robust evidence.

5.15 Tourism and leisure development, including visitor attractions, leisure facilities, visitor accommodation and green infrastructure will be protected, and where necessary, enhanced, promoted and expanded in partnership with key agencies and delivery partners. This will ensure their enhanced role as key economic drivers in stimulating and regenerating the local economy. The Plan aims to strengthen County Durham's role as a visitor/tourist destination, building on and adding to, the strength of existing attractions, townscapes and landscapes, encouraging the development of new visitor attractions and accommodation and increasing the contribution of Durham's rural areas to the overall value of the county's visitor economy. The DTMaP builds on this objective through specific priorities identified in partnership with key public and private visitor economy stakeholders. To enable and encourage the development of the county's tourism industry the following policies deal specifically with visitor attractions and accommodation. It is acknowledged that the visitor economy is much broader in scope than these two elements (including events, retail, food tourism and the night-time economy for example), however these are covered by other mechanisms or policies within the Plan.

Policy 7 - Visitor Attractions

Policy 7

Visitor Attractions

The visitor sector is an important and resilient part of the county's economy. In order to raise the quality of the visitor experience, the provision of new visitor attractions, or the expansion of existing attractions will be permitted provided they are:

- a. located in sustainable and accessible locations, or can be made so;
- b. appropriate to the site's location in terms of scale, design, layout and materials;

43 Figures are from the 2016 STEAM Report. The most up to date STEAM Report figures can be found here: [STEAM Report](#).

44 The process will signpost applicants to the requirement for a sustainability statement as detailed in Policy 29 (Sustainable Design) and an HRA Screening Opinion where appropriate.

- c. it can demonstrate the viability of the new attraction or, where appropriate, helps support the viability of an existing attraction; and
- d. it enhances and complements existing visitor attractions or priorities in the county and supports the development of a year-round visitor economy and/or extends visitor stays.

Where a countryside location is necessary the development should:

- e. meet identified visitor needs;
- f. support local employment and community services;
- g. ensure adequate infrastructure; and
- h. respect the character of the countryside.

Large Scale Development

Comprehensive masterplanning and a robust business plan to articulate the potential impacts, proposed mitigation and economic, social and environmental benefits should accompany applications for large scale new or expanding visitor attractions.

5.16 There are approximately 70 regionally, nationally and internationally recognisable visitor attractions in the county which can be viewed at www.thisisdurham.com. The most visited are Durham Cathedral (more than 619,000 visitors and worshippers in 2016) and Beamish Museum (797,203 paying visitors in 2017). Other attractions with significant visitor numbers⁽⁴⁵⁾ include Hamsterley Forest, Hardwick Park, Locomotion (National Railway Museum at Shildon), Palace Green Library, The Oriental Museum, the World Heritage Site Visitor Centre, The Bowes Museum, Bowlees Visitor Centre, Auckland Castle, Raby Castle, Durham Castle, Diggerland, Crook Hall & Gardens, Barnard Castle, The Botanic Gardens, Durham County Cricket Club, Adventure Valley (Durham City) and High Force. In addition the county boasts a number of historic townscapes as well as local and national walking, cycling and riding routes which link beyond County Durham's borders. The county also hosts major events which attract large visitor numbers such as Lumiere Durham and the Durham Brass Festival. A major new attraction at Eleven Arches, Bishop Auckland has recently added to the county's tourism offer. Known as Kynren, this open air amphitheatre explores 2,000 years of history and links to the wider art and heritage based tourism opportunities being realised at Auckland Castle and Bishop Auckland Market Place.

5.17 The county's strong railway heritage includes the Bishop Auckland to Darlington railway, which is recognised as an asset running through the core economic area of south Durham; connecting the main towns of Bishop Auckland, Shildon and Newton Aycliffe and providing a key gateway to the Durham Dales. Together with the Weardale Railway it forms a strategic railway tourism corridor linking the Darlington Railway Museum, Locomotion at Shildon and Weardale Heritage Railway. These heritage assets are further supported through Policy 46 (Stockton and Darlington Railway).

5.18 The rural and tranquil nature of Durham's countryside is an important asset for residents and visitors. Therefore development within the countryside needs to be compatible with its location in order to protect this area's unique character. It is also important to ensure that existing heritage and

45 Approximately 20,000 or more visitors per year.

environmental assets are both protected and supported in appropriate ways to help them flourish, this can include addressing visitor needs such as providing interpretation boards, adequate parking spaces, including electric vehicle charging points, or a visitor centre for example.

5.19 New visitor attractions will be directed to accessible and sustainable locations in the first instance in order to address the need to develop the visitor offer and encourage visitors to stay longer. Where development is not in accessible locations it will be focused on the conversion of existing buildings, well designed new buildings and developments that contribute to rural diversification, enjoyment of the countryside and access to heritage. These development applications will need to demonstrate suitable accessibility.

5.20 Historic rural estates play an important role in County Durham, in social, economic and environmental terms. Sensitive development, including forms of rural diversification, will be supported where it can be demonstrated to be necessary to secure the long-term future of rural estates and their historic assets.

5.21 Newcastle International Airport, Durham Tees Valley Airport and our regional ports act as vital gateways bringing international visitors to the region. Whilst there are some sustainable transport links, such as the East Coast Main Line, between these gateways and the key visitor attractions in the county, improved connectivity would be welcomed.

5.22 Planning for tourism should make the most of our assets, enriching them rather than harming the very character, quality and beauty that makes them attractive to residents and visitors. This can be achieved by ensuring development is appropriately located and levels of visitor activity are not likely to significantly affect protected sites and species, particularly those of national and European importance.

How will the Policy be monitored?

Indicator:

1. Number of approved and completed visitor attractions.

Target:

1. No Target.

Policy 8 - Visitor Accommodation

Policy 8

Visitor Accommodation

1. Subject to parts 2 and 3 of this policy, all new visitor accommodation or extensions to existing visitor accommodation, will be supported where:

- a. it is appropriate to the scale and character of the area; and
 - b. it is not used for permanent residential occupation.
2. Proposals for visitor accommodation that are in the countryside will be supported where they meet criteria (a) to (b) and where:
- c. it is necessary to meet identified visitor needs; or
 - d. it is an extension to existing visitor accommodation and helps to support future business viability or is a conversion of an existing building; and
 - e. it respects the character of the countryside; and
 - f. it demonstrates clear opportunities to make its location more sustainable.
3. Proposals for new, and extensions to existing, sites for chalets, camping⁽⁴⁶⁾ and caravanning (both static and touring) along with associated storage and infrastructure will be supported where they meet criteria (a) to (f) and where:
- g. they provide a specific Flood Risk Warning and Evacuation Plan in accordance with Table 2 in the National Planning Policy Framework (NPPF) Technical Guidance; and
 - h. they are not unduly prominent in the landscape from either long or short range views by ensuring:
 - (i) adequate year-round screening through existing topography, vegetation or other features which are compatible with the landscape. Where new or additional screening is required this must be suitably established before development can take place;
 - (ii) the layout would not adversely affect the character of the area; and
 - (iii) the materials and colour of chalets or static caravans, site services and infrastructure are designed to blend with the surroundings of the site and are limited in scale to the needs of the site occupants only.

5.23 In County Durham there are approximately 589 visitor accommodation businesses with over 14,424 bed spaces⁽⁴⁷⁾ (this includes seasonal university accommodation). A detailed audit of existing accommodation and gaps in provision⁽⁴⁸⁾ has been completed and this will help inform the determination of future planning applications, for example if there is an over or under provision of certain types of holiday accommodation, to meet visitor needs, in a given area. Liaison with Visit County Durham is recommended to establish demand for the quality of the offer being proposed. Other relevant evidence submitted by an applicant would also be taken into consideration if provided, although this is not required.

46 Chalets and camping can include basic ridge/dome-tents, yurts, tipis/teepees, geodesic domes, safari-style tents/canvas lodges, bell tents, wooden shepherds huts, wooden wigwams/cocoons/snugs, cabins, eco-pods or similar structure.

47 Figures are from the 2016 STEAM Report. The most up to date STEAM Report figures can be found here: [STEAM Report](#).

48 Visit County Durham - County Durham Visitor Accommodation Futures Study and Visitor Accommodation Development Strategy and County Durham Hotel & Visitor Accommodation Development Programme 2017/18.

5.24 Durham City's dual role as a visitor and business centre assists in the provision of visitor accommodation and ensures a high level of occupancy throughout the year. However the city currently lacks sufficient quality business and conference facilities which would help build upon this high value non seasonal market. A detailed audit of facilities, capacity, market demand and potential has been completed and this helps to inform the determination of future planning applications⁽⁴⁹⁾.

5.25 Where criterion 2(d) applies, there is an expectation from the council that applicants will provide evidence of how development proposals will help to support future business viability. The evidence will need to be proportionate to the scale of development.

5.26 In relation to tourism accommodation in built up areas, Annex 2 of the National Planning Policy Framework (NPPF) highlights that hotels fall into the category of main town centre uses, which would therefore require a sequential test to be carried out if the application was outside of a defined town centre boundary. However the Planning Practice Guidance (PPG) acknowledges that the use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations. The PPG highlights that robust justification must be provided where this is the case, and land ownership does not provide such a justification.

5.27 Tourism accommodation in rural areas, providing it is in suitable locations, can have a positive impact on the local economy, including some social benefits. Appropriate conditions restricting this accommodation to holiday use will be employed to avoid the provision of owner occupied second homes which do not positively contribute to the production of sustainable communities and are economically less significant. The condition will ensure that whilst accommodation can operate all year, it will be available for commercial holiday lets for at least 140 days a year and that no let must exceed 31 days.

5.28 In order to be commercially successful, tourism facilities must be easily accessible for visitors and where possible should enable sustainable travel. The NPPF recognises that different policies and measures will be required in different communities, and that opportunities to maximise sustainable transport solutions will vary from urban and rural areas. In locations that are not served by public transport or that are not close to existing services and facilities, applicants will need to demonstrate that development is sensitive to its surroundings and does not have an unacceptable impact on local roads, and that any opportunities to improve the scope for access by foot, by cycling and/or by public transport are made the most of, thereby making the development more sustainable.

5.29 The occupation of static caravans for permanent residential use is not considered appropriate unless they are located within an established static caravan park specifically developed for that purpose. Storage sites for touring caravans help remove caravans from residential areas where they are often unsightly. However sites need to be secure, well screened throughout the year and preferably located close to settlements.

How will it be monitored?

Indicator:

1. Net additional bed spaces.

Target:

1. No net loss.

49 The DTMaP and associated reports can be viewed at: <https://www.visitcountydurham.org/visitor-economy>.

Ensuring the Vitality of Town Centres

5.30 The National Planning Policy Framework (NPPF) maintains the 'town centres first' approach to the location of main town centre uses, requiring planning policies to be drawn up to positively promote competitive town centres and manage their growth.

5.31 Nationally, town centres face increasing economic challenges including a change in consumer behaviour and the rise in e-commerce, mobile technology and internet shopping. The significant growth in this sector has inevitably impacted on the number and range of shops, with many national retailers withdrawing from town centres including those in County Durham. We have seen similar changes in respect of food retail with the development of large format stores now either shelved or closing. We have however at the same time seen growth of smaller and more local convenience and discount stores coming forward as a direct response to the economic climate that currently exists. The ease of travel and the increasing attraction out of town shopping across the region has further impacted on how our town centres are used.

5.32 Although town centres are now not always the main focus for people's shopping, they are still key drivers to the economy. Therefore it is important that we ensure our centres remain viable going forward by understanding national trends and ensuring that they reflect the needs and opportunities of the communities that they serve. It is essential that we set out this strategy in the context of national policy.

Policy 9 - Retail Hierarchy and Town Centre Development

Policy 9

Retail Hierarchy and Town Centre Development

Retail Hierarchy

The council will protect and enhance the following hierarchy of **Sub Regional, Large Town, Small Town, District** and **Local** retail centres in the county.

- **Sub Regional Centres** - Bishop Auckland, Durham City
- **Large Town Centres** – Barnard Castle, Chester-le-Street, Consett, Crook, Newton Aycliffe, Peterlee, Seaham, Spennymoor, Stanley
- **Small Town Centres** - Ferryhill, Shildon
- **District Centres** - Arnison Centre, (Durham City), Sherburn Road/Dragonville, Durham City
- **Local Centres** - Annfield Plain, Bearpark, Blackhall, Bowburn, Brandon, Burnopfield, Chilton, Coundon, Coxhoe, Dipton, Easington Colliery, Esh Winning, Fencehouses, Fishburn, Framwellgate Moor, Great Lumley, Horden, Lanchester, Langley Moor, Langley Park, Leadgate, Middleton-in-Teesdale, Murton, Pelton, Sacriston, Sedgefield, Sherburn Village, Shotley Bridge, Shotton, South Moor, Stanhope, Tow Law, Trimdon Grange, Trimdon Village, Ushaw Moor, West Auckland, West Cornforth, Wheatley Hill, Willington, Wingate, Wolsingham.

The Plan will look to support new town centre development across all of the county's centres that will improve choice and bring about regeneration and environmental improvements.

In all other locations outside of those identified in the retail hierarchy the loss of essential shops and services will be resisted.

Town Centre Boundaries

Proposals for town centre uses, as defined by National Planning Policy Framework (NPPF)⁽⁵⁰⁾ not located within a defined centre⁽⁵¹⁾, as shown on the policies map, will be required to provide a sequential assessment.

Proposals for retail, in excess of 1,500 sqm (gross) convenience floorspace or 1,000 sqm (gross) comparison floorspace, proposed outside of a defined centre, and that could impact on a Sub Regional, Large Town or District Centre, will be required to provide an impact assessment in accordance with the guidance within the NPPF and the PPG.

Proposals for retail, as defined by NPPF, in excess of 400 sqm (gross) convenience or comparison floorspace, proposed outside of a defined centre, and that could impact on Small Town or Local Centres, will be required to provide an impact assessment in accordance with the guidance within the NPPF and the PPG.

For leisure development, the national default threshold of 2,500 sqm is applicable.

Where an application fails the sequential test or would have a significant adverse impact on investment or the vitality and viability of a town centre, it should be refused.

District Centres

Additional retail provision within the defined District Centres will need to be assessed to protect and enhance the vitality and viability of other centres within the retail hierarchy. Therefore, proposals for retail, in excess of 1,500 sqm (gross) convenience floorspace or 1,000 sqm (gross) comparison floorspace within the defined District Centres will be required to consider the impact on Durham City Centre and other centres potentially impacted. For leisure development, the national default threshold of 2,500 sqm is applicable.

Support will be given to other non-retail main town centre uses in order to diversify the offer within these centres.

Primary Shopping Areas

Within the Primary Shopping Areas, as shown on the policies map, A1 (retail) uses will be supported. Other uses will be permitted where they preserve the vitality and viability of the Primary Shopping Areas. A5 uses will also be considered in the context of this and the need to consider the requirements of Policy 30 (Hot Food Takeaways A5 uses).

Residential Uses

Within defined Sub Regional, Large and Small Town Centres, residential uses will be supported where they accord with other relevant policies in the Plan.

50 Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

51 For the Sub Regional, Large Town and Small Town Centres, the sequential test should consider the primary shopping areas as in-centre for shopping development, and within the centre boundary as in-centre for all other main town centre uses.

Evening Economy

Proposals that would positively contribute to the evening economy will be supported provided they contribute to the vitality and viability of town centres, promote public safety and accord with this and other relevant policies in the Plan.

Retail Hierarchy

5.33 Retailing and the county's town centres are key drivers of the economy. Setting out a strategic framework for the retail centres is an important factor in improving the overall performance of County Durham's economy.

5.34 To determine the retail needs within the county, it is important to understand the role of each town and local centre. National guidance advocates the need to develop a hierarchy of centres with each performing an appropriate role to meet the needs of its catchment area. The County Durham Retail and Town Centre Uses Study⁽⁵²⁾ provides recommendations for a retail hierarchy in County Durham. The hierarchy is based on a quantitative and qualitative assessment of each centre, its wider function in terms of overall shopping and service offer, and the number of national multiples represented. It should be noted that whilst the Retail and Town Centre Uses Study did not identify a need to specifically allocate sites for new retail development within our town centres, the Plan will support new retail and town centre proposals that will improve choice and bring regeneration benefits.

Sub Regional Centres

5.35 Analysis carried out within the Retail and Town Centres Uses Study found that Durham City and Bishop Auckland function as Sub Regional Centres. Both centres have significant levels of floorspace within their defined centre boundaries and have several major national multiple retailers represented. They are the largest centres in the county and their influence extends over a wide area. Durham City serves a central Durham catchment including Chester-le-Street and Peterlee, whilst Bishop Auckland serves Spennymoor, Crook and much of the rural west.

5.36 Within **Durham City** there has seen significant recent and continued investment. Redevelopment of The Gates Shopping Centre in North Road is well underway with completion due later this year. This will include a multiplex cinema, associated leisure uses and the opening up of the riverside walkways and improvement of the retail offer. This will create a draw for this part of the city centre. Alongside this, is the 60,000 sqm re-development of the former Milburngate House site. The site will be mixed use and include residential, leisure and commercial uses, regenerating this riverbank location.

5.37 A masterplan for **Bishop Auckland** town centre has been developed that seeks to build on the significant investment at Auckland Castle through the Auckland Project and Eleven Arches. A range of projects are being developed across the town centre investing in the culture, heritage and economy of the town including the Bishop Auckland Heritage Action Zone and also the Zubaran Centre for Spanish and Latin American Art. The Plan will support proposals that will deliver the aims of the masterplan, increase footfall within the town centre and improve its vitality and viability.

52 [Retail and Town Centre Study](#) (2018).

Large Town Centres

5.38 The defined Large Town Centres perform a supporting role to the Sub Regional Centres providing a lesser, more limited offer and serving a more localised catchment. Whilst these towns have major foodstores and a full range of local services and employment uses, the non-food retail offer in each of these centres is relatively limited with few national multiple comparison retailers present.

5.39 Within **Barnard Castle**, the Retail and Town Centre Study has identified food spend leakage out of the town to other centres within and also outside of the county. In terms of main food retail destinations, the town only has a single small Morrison's store resulting in a lack of choice for local residents. The Plan will therefore support proposals that will deliver new food retail provision within Barnard Castle that comply with the sequential and retail impact tests.

5.40 A masterplan is being developed in **Chester-le-Street** that will focus on utilising vacant and underused land within the town centre as well as improving the quality of the local environment. This is with the aim of improving the vibrancy of the town centre and the quality of the offer. A key element of the masterplan is the opening up of the Cong Burn that currently runs underneath the town's market place. This will reduce the risk of flooding in the town as well as seeing the watercourse transformed into a public realm feature. The Plan will support proposals that deliver the aims of the masterplan.

5.41 The council has focused on a range of improvements for **Consett** town centre in order to improve the visual quality of the shopping environment. This has delivered public realm improvements including new paving, lighting, street furniture and planting areas with the town centre. Over the next 18 months, the council will be refreshing a masterplan with the aim of further revitalising the town centre.

5.42 **Crook** town centre has seen recent development with the former Co-Op store on New Road demolished and replaced by a new Lidl store. This alongside the approved Aldi store on Queen Street will improve choice in the town and improve the levels of expenditure retention.

5.43 **Newton Aycliffe** has recently seen the adoption of a neighbourhood plan where the importance of retail and the town centre was highlighted. This specifically related to improving the retail offer in the town as well as the evening economy. A proposed development of four retail units has recently been approved on the former Cubby site that will deliver wider choice in the town. The Plan will support further proposals that improve the offer within the town centre.

5.44 **Peterlee** has seen approvals for two large foodstore schemes, at the former Easington College site and the partial redevelopment of the Castle Dene Shopping Centre. Neither of these schemes have come forward since approval in 2012. Whilst the Retail and Town Centre Study does not identify any overriding retail need, there are significant regeneration benefits to the redevelopment of the former Easington College site for a retail based scheme. The Plan will therefore support retail development on this site which broadly accords with the original permission.

5.45 **Seaham** town centre has benefited from recent investment in North Terrace, however there are a number of sites within the town centre that provide development opportunities that can deliver improvements to the town centre. The Plan will support proposals that will bring about further range and choice in the town's retail provision.

5.46 Festival Walk lies in the heart of **Spennymoor** town centre. It currently suffers from high vacancy rates including the large former KwikSave unit. It has a detrimental impact on the appearance of the town centre and has long been recognised as an area in need of regeneration. The Plan will support redevelopment of this area of the town that has the potential to improve the retail offer while also bringing considerable environmental and regeneration benefits.

5.47 Work on two multi-million developments as part of the ongoing regeneration of **Stanley** town centre are now underway. The former KwikSave building on Clifford Road in Stanley is being redeveloped for a new Home Bargains store and, the old bus station and former Co-op building, which were demolished several years ago, are being cleared for a new Aldi store. A new £1.4 million, 23-bed hotel in Stanfield House, the former council care home, also opened recently creating 20 jobs. The Plan will continue to support further schemes which improve the range and choice in the town.

Small Town Centres

5.48 The defined Small Towns predominantly perform a local top up role with the majority of local residents looking towards mainstream food provision in larger centres to meet their main convenience shopping needs. In addition, the towns have a limited comparison retail offer and basic service and leisure provision. They do however perform an important role and will be protected within the retail hierarchy.

5.49 **Ferryhill** town centre plays an important local role with stores such as the Co-op and B&M Bargains together with a number of independent shops providing a good level of provision. The Plan will support further proposals that will improve retail choice within the town centre.

5.50 **Shildon** town centre's proximity to Bishop Auckland means that it performs a complementary function as a retail destination. With further investment at Locomotion, this can act as a catalyst for increased visitor numbers and increased spend within Shildon and its town centre which in turn could lead to further investment.

District Centres

5.51 Both of the defined District Centres have large mainstream convenience foodstore anchors and also a higher order non-food retail offer which reflects the origins of both centres as out of centre retail park developments. The District Centres do however lack the local service function (banks, professional services etc.) of traditional centres.

5.52 The District Centres are highly accessible to their surrounding communities Pity Me, Framwellgate Moor, Newton Hall in the case of the Arnison Centre and Gilesgate, Carrville and the Sherburn Road estate in the case of Dragonville. Both centres are also well served by bus. Evidence within the Retail and Town Centre Uses Study 2018 recognised that they continue to meet the retail needs of residents across the city and beyond, particularly convenience retailing. This is because Durham city centre is unable to accommodate large floorplate stores, due to the heritage constraints associated with a historic city centre.

5.53 Whilst it is recognised that due to the origins of these District Centres, the offer is predominantly retail orientated, support will be given to proposals that will diversify the range of facilities within the centres, providing other main town centre uses, allowing them to evolve over the Plan period to increasingly perform a town centre role.

5.54 It is also particularly important that the future development of these centres does not undermine the role of higher order centres and particularly Durham city centre. Therefore, the impact thresholds of 1500sqm for convenience retail and 1000sqm for comparison retail detailed within the policy will apply to retail development within the Arnison and Sherburn Road/Dragonville District Centre. This will allow the consideration of such proposals to consider the impact on the city centre and other centres potentially affected.

5.55 Dalton Park, Murton and Tindale, Bishop Auckland are not designated within the retail hierarchy. They are recognised as out of centre locations and further development would be subject to a sequential test, and if applicable, an impact test.

Local Centres

5.56 The Local Centres are found within a large number of villages across the county. These support a number of local shops and services that meet local residents' daily shopping needs.

Essential Shops and Facilities

5.57 In some of our smaller settlements, where there are not sufficient shops for a local centre to be defined, a local shop/convenience store or community facility is of even greater importance to the local population. It is important that the unnecessary loss of shops, community or cultural facilities within the county's smaller settlements is avoided. In assessing applications that would potentially see the loss of such facilities, particular consideration will be given to the accessibility or availability of equivalent facilities near by and the role that facility plays within the settlement. The views of local people and relevant town or parish councils will be of particular importance in assessing such applications.

Protection of Town Centres

5.58 Town and local centres, are the heart of their communities. Government policy continues to support town centres by promoting vitality and viability within them. The council monitors the performance of the county's towns annually and has defined town centre boundaries across the county based on the changing dynamics of these centres⁽⁵³⁾. The boundaries for these centres are defined on the policies map and define the most suitable locations for retail and other town uses such as leisure or cultural facilities.

5.59 Applicants proposing retail and town centre uses on edge of centre or out of centre sites will be required to carry out a sequential assessment. In addition, schemes that are proposing food retail developments in edge of centre or out of centre locations with a floorspace greater than 1,500 sqm (gross), which could impact on a Sub Regional, Large Town and/or District Centres, should be accompanied by a retail impact assessment. This threshold will be adjusted to 1,000 sqm (gross) where the proposal is for comparison retailing. Where an application proposes a scheme that would provide a mix of comparison and convenience retailing the 1,500 sqm threshold is applicable.

5.60 A specific impact threshold has also been defined for proposals that would impact on a Small Town and Local Centres. In this instance where proposals for comparison or convenience retail are in excess of 400 sqm (gross), an impact assessment will be required.

5.61 For leisure development the national default threshold of 2,500 sqm is applicable. In producing sequential and impact assessments, applicants will be required to follow guidance within the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

Primary Shopping Areas

5.62 The Plan defines Primary Shopping Areas for all of the county's Sub Regional, Large and Small Town centres. Primary Shopping Areas are the principal retail locations and have the highest proportion of A1 retail uses within a centre.

5.63 Within defined Primary Shopping Areas, we aim to maintain the retail offer, but with an appropriate provision of non A1 facilities to enhance the town centre experience by offering a reasonable choice of services to shoppers and visitors. In response to the challenges that town centres face across the county, it is important that policies allow for sufficient flexibility within town centres. Proposals within the Primary Shopping Area will be assessed against the existing provision, vacancies and mix of commercial and retail uses. Harm to the retail character will be determined by

53 [County Durham Town Centre Surveys](#) (2018).

assessing a proposal's contribution to the vitality and viability of a centre. Consideration will need to be given to whether a proposal would result in 'dead frontage' i.e. not require passing trade, and whether it would result in a significant over concentration of non-retail uses within the defined Primary Shopping Area. Outside the Primary Shopping Areas non-retail uses will be supported across town centres allowing for growth and diversification. Support will be given to pop-up shops, given the positive contribution they can make to the vitality and vibrancy of town centres. In addition, support will be given to re-using buildings with town centres for art and cultural facilities.

Residential Uses

5.64 In some instances town centres may provide suitable locations for residential uses, contributing to the overall housing supply and also to a centre's vitality and viability, whilst also increasing footfall. Residential uses will be encouraged within Sub Regional, Large and Small Town Centres, where it complies with relevant policies in the Plan.

Evening Economy

5.65 The Retail and Town Centre Uses Study identifies deficiencies in the evening and night time economy in many of the county's town centres. It will be important to support appropriate proposals that can improve the evening economy in these towns.

5.66 Proposals that relate to the development of the evening and night time economy (e.g. pubs, clubs, restaurants, shops and night-time entertainment) will be supported as valuable additions to the vitality and viability of Sub Regional and Large Town Centres, provided that the operation of such activities can be controlled to address amenity impacts (in accordance with Policy 32 (Amenity and Pollution)) and take into account public safety. Such developments will be resisted where they have a detrimental impact on other uses or areas or otherwise undermine town centres.

How will the Policy be monitored?

Indicator:

1. Vacancy rates in retail centres.
2. Approved and completed retail floor space outside of town centres on sites that are over 1,500 sqm for convenience and over 1,000 sqm for comparison.

Target:

1. Vacancy rates below national rate.
2. None delivered which failed the required impact test.

Supporting a Prosperous Rural Economy

5.67 County Durham is primarily a rural county and therefore any vision for future prosperity must also seek to achieve success in our rural areas. This is reflected in the Plan's Vision, Objectives and Sustainable Development Statement. There are also policies throughout the Plan which apply equally to our towns, villages and rural areas. For example Policy 15 (Addressing Housing Need) seeks to meet the need for affordable housing and housing for older persons, the need for which is particularly acute in rural areas. There are also a range of policies including Policy 29 (Sustainable Design) which seek to protect the natural, historic and built environment within rural areas and ensure development reflects local distinctiveness and is well-designed.

5.68 Furthermore to ensure that the specific issues within rural areas are taken into account, all policies within the Plan have been subjected to a rural-proofing exercise, both during and after the policy creation stage in line with the Department for Environment, Food and Rural Affairs (Defra) rural-proofing good practice guidance. Rural-proofing is not about providing special treatment for rural areas, but rather reflecting the reality that some policies will not necessarily work as effectively in rural areas due to their dispersed population, settlements and economic markets. Rural-proofing aims to ensure that the needs of, and issues affecting, those living and working in rural areas are considered as new planning policies are developed.

5.69 There are however some issues which are specific to rural areas which require their own policies such as development in the countryside, exception sites and those related to rural enterprises such as agriculture and equestrian development and this is the purpose of this chapter.

County Durham's Rural Areas

5.70 Ninety percent of the county's population lives east of the A68 in forty percent of the county area, yet rural communities do not only exist within the west of the county. In fact County Durham's rural areas vary widely in character from remote and sparsely populated areas in the Pennine Dales, to the larger villages located within the former coalfield communities in the centre and east. These areas do not have good access to more urban areas and the services and facilities in those areas including housing and employment.

5.71 It is important that rural settlements are not unduly constrained and remain sustainable. Our rural communities require proportional growth so that their population have a balance of ages and are able to thrive and grow while also respecting the character of the countryside. Rural communities can have quality environments to live in and visit but can also have an important role to play in the rural economy as workplace locations. Therefore the council supports development that meets the needs of the local community such as affordable housing and economic diversification, provided the countryside is protected from wider development pressures and widespread new building.

5.72 Rural areas can experience a far greater reliance on the car than urban areas which can cause problems in accessing work. Similarly young people need the means to be able to access the further education system including maintaining public transport links.

5.73 One of the key issues that has constrained the economy of rural areas is the lack of a reliable broadband connection. As this is improving with the roll out of superfast broadband, we need to be in a position to capitalise on this opportunity but in a way which preserves the quality and character of what makes these areas special. This will stimulate a prosperous rural economy by opening up new economic sectors as well as improving the traditional sectors such as tourism, agriculture and forestry. It should also improve the quality of lives of residents by providing greater access to key services. We need to ensure that the Plan supports and enables rural growth in order to provide sustainable jobs and be proactive and flexible in attracting investment to the area.

Policy 10 - Development in the Countryside

Policy 10

Development in the Countryside

Development in the countryside will not be permitted unless allowed for by specific policies in the Plan⁽⁵⁴⁾, relevant policies within an adopted neighbourhood plan relating to the application site or where the proposal relates to one or more of the following exceptions:

Economic Development

Development necessary to support:

- a. an existing agricultural or other existing rural land-based enterprise or associated farm diversification scheme, including the provision of new or the extension of existing building(s), structures or hard standings required for the functioning of the enterprise;
- b. the expansion of an existing business falling beyond the scope of a rural land based enterprise, where it can be clearly demonstrated that it is, or has the prospect of being, financially sound and will remain so;
- c. the establishment of a new agricultural or other rural land based enterprise which clearly demonstrates an essential and functional need for that specific location and where it can be clearly demonstrated that it has the prospect of being financially sound and will remain so; or
- d. the undertaking of non-commercial agricultural activity which is located within or directly adjoining the applicant's existing residential curtilage which is of a scale commensurate to the incidental enjoyment of that existing dwelling.

In all instances the resulting development must be of a design, construction and scale which is suitable for and commensurate to the intended use. In respect to (a), (b) and (c) any resulting building(s), other structure(s) and hard standing(s) must be well related to the associated farmstead or business premises unless a clear need to ensure the effective functioning of the business for an alternative location can be demonstrated by the applicant.

Infrastructure Development

Development necessary to support:

- e. essential infrastructure where the need can be demonstrated for that location;
- f. the provision of new, or the enhancement of, existing community facilities; or
- g. development of a new, or the enhancement of, an existing countryside based recreation or leisure activity which will improve access to the countryside for all in terms of walking, cycling, horse riding and sailing without giving rise to adverse environmental impacts.

⁵⁴ Relevant policies include: housing allocations; employment land allocations; development on unallocated sites; visitor attractions and accommodation; equestrian development; rural exceptions; travellers; green infrastructure; rural workers dwellings; low carbon and renewables, all applicable policies relating to minerals and waste development; and transport routes (roads, cycle-ways and rail).

Development of Existing Buildings

Development necessary to support:

- h. the change of use of an existing building or structure which:
 - 1. already makes a positive contribution to the character and appearance of the area and is capable of conversion without complete or substantial rebuilding, disproportionate extension or unsympathetic alterations;
 - 2. results in an enhancement of the building's immediate setting;
 - 3. does not result in the unjustified loss of a community service or facility; and
 - 4. in the case of a heritage asset, represents the optimal viable use of that asset consistent with their conservation.
- i. the intensification of a use through subdivision;
- j. the replacement of an existing dwelling in the same location with one of a comparable footprint and mass where this is clearly justified; or
- k. an extension of an existing dwelling or other householder development within the existing curtilage which is incidental to the enjoyment of the dwelling, including proposals to facilitate home working.

General Design Principles for all Development in the Countryside

New development in the countryside must accord with all other relevant development plan policies and by virtue of their siting, scale, design and operation must not:

- l. give rise to unacceptable harm to the heritage, biodiversity, geodiversity, intrinsic character, beauty or tranquillity of the countryside either individually or cumulatively, which cannot be adequately mitigated or compensated for;
- m. result in the merging or coalescence of neighbouring settlements;
- n. contribute to ribbon development;
- o. impact adversely upon the setting, townscape qualities, including important vistas, or form of a settlement which cannot be adequately mitigated or compensated for;
- p. be solely reliant upon, or in the case of an existing use, significantly intensify accessibility by unsustainable modes of transport. New development in countryside locations that is not well served by public transport must exploit any opportunities to make a location more sustainable including improving the scope for access on foot, by cycle or by public transport;
- q. be prejudicial to highway, water or railway safety; and
- r. impact adversely upon residential or general amenity.

New development in the countryside must also:

- s. minimise vulnerability and provide resilience to impacts arising from climate change, including but not limited to, flooding; and
- t. where applicable, maximise the effective use of previously developed (brownfield) land providing it is not of high environmental value.

5.74 For the purposes of this policy, land which is not within an existing built-up area, as defined in the glossary will be regarded as 'countryside'. As a general principle, the Plan seeks to direct new development to sites within the built-up area, those well-related to a settlement or those specifically allocated for development. However, it is recognised that in the interests of the rural economy and the sustainability of its communities, they too need to be supported by appropriate new development. Therefore, the circumstances where development relating to both existing and new uses and buildings will be acceptable in the countryside, are set out in this policy alongside other relevant policies in the Plan.

5.75 Modern agricultural buildings in the form of portal-framed or other similarly constructed structures are cheap to construct, flexible for a wide range of uses and are therefore attractive to small-scale hobby farmers and non-agricultural uses. To avoid the proliferation of these buildings in the countryside, all proposals for an 'agricultural' building in the countryside will be assessed to determine whether the proposed building is genuinely required for agricultural purposes and is of a commensurate scale for the intended purpose. Small scale non-commercial activity may also be acceptable where this is closely related to the applicant's existing residence.

5.76 As well as providing leisure and recreational opportunities, the countryside is a constantly changing workplace. It is necessary to balance and integrate the requirement to protect the countryside with the need to sustain and encourage the vitality and viability of the rural economy including through agriculture and tourism. The modernisation and diversification of existing activities as well as the creation of new activities, will be supported where this can be achieved in a sustainable manner and, where applicable, will enable their retention as a viable use. New, and improvements to existing, infrastructure will also be supported especially where this will bring about wider economic and social benefits.

5.77 There are a varied range of buildings in the countryside which are under threat of closure, are disused for their original purpose or are redundant. The majority are likely to be agricultural buildings but there may also be community facilities including places of worship, mills, schools, or public houses, for which an alternative use is being sought. Many of these buildings make a positive contribution to the character and appearance of the countryside and some are heritage assets in their own right and may be 'at risk'. The sympathetic conversion of these buildings, for example to employment or community use, visitor accommodation or housing, can safeguard their future. The change of use of any such building must be clearly justified on a case-by-case basis according to their individual circumstances including consideration of the proposed use's future viability and the impact the loss of that proposed use would have. Any such proposals requiring alterations to enable the conversion must be accompanied by a structural survey to demonstrate that this can be done without significant rebuilding or alteration. Any proposed extension must be proportionate, respect the scale, form and character of the building, as well as being appropriate to its wider setting. The policy also sets out the circumstances whereby householder development for purposes incidental to the enjoyment of the dwelling house, the replacement of an existing dwelling with another where the need for a replacement is clearly justified, for example due to structural issues or the intensification of use through sub division will be permitted.

5.78 New development should seek to minimise the use of resources, including by the recycling of previously developed land. It is also vital to plan buildings and communities that are resilient to potential climate change impacts. Development must therefore be designed to withstand future weather trends as flooding events and heat waves will become a much more regular occurrence. For example, the use of green and brown roofs, and sustainable drainage systems, will be encouraged.

5.79 The general design principles set out within this policy relate to all development within the countryside, including housing developments acceptable under the provisions of Policy 11 (Rural Housing and Employment Exception Sites).

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.
2. Number of new agricultural or other rural land-based enterprise ventures (approved and completed).
3. Number of buildings brought back into use for economic generating uses.
4. Number of community facilities within the countryside being lost to alternative non community uses (approved).
5. Proportion of new dwellings (excluding rural exceptions, replacement, conversions, subdivisions and those associated with a rural enterprise) within the countryside approved and completed.

Target:

1. None upheld at appeal.
2. No target.
3. No target.
4. Zero.
5. Reducing trend.

Policy 11 - Rural Housing and Employment Exception Sites

Policy 11

Rural Housing and Employment Exception Sites

New housing and employment related development that is contrary to Policy 6 (Development on Unallocated Sites) and Policy 10 (Development in the Countryside), will be permitted where the following criteria are met:

Where housing is proposed it must be shown that:

- a. the development is well-related to a settlement;
- b. there is an identified local need for affordable or specialist housing sufficient to justify the scale and nature of the development;
- c. any market housing is only included where it can be robustly demonstrated that this is essential to support the viable delivery of affordable housing. Only the minimum necessary should be included; and
- d. the affordable housing is made available to the local community identified as being in need, with priority given to occupation by households with a local connection.

Where employment related development is proposed it must be shown that:

- e. it is of a scale and type that is appropriate to its location; and
- f. it could not be more appropriately situated on an existing or allocated industrial estate, an existing suitable building or other land within other settlements in the vicinity.

All proposals must be in scale and keeping with the form and character of any nearby settlements and the local landscape.

5.80 There may be circumstances where affordable and specialist housing and employment related development is needed which would be contrary to Policy 6 (Development on Unallocated Sites) and Policy 10 (Development in the Countryside). Such sites are known as exception sites.

Housing

5.81 Affordable housing which is being proposed should meet local needs, reflect demand for particular sizes, types and tenures of housing and conform with the definition in the National Planning Policy Framework (NPPF). It must be justified on the basis of a pressing local need for affordable housing which is demonstrated by appropriate evidence, including a local needs study relating to the area concerned. Those regarded as being in local need are:

- people who need to be housed but are unable to compete in either the open market for house purchase or are unable to afford private sector rents; and
- people who are local to a village or a group of villages by birth, previous or current residence, employment or by virtue of having a close family member living in the area.

5.82 It is generally expected that any scheme proposed should consist entirely of affordable housing. In some circumstances, an element of market housing may be acceptable, provided that it is robustly shown to be necessary to achieve viability across the whole scheme.

5.83 The council's Strategic Housing Market Assessment (SHMA) has identified a need for specialist housing in County Durham. Specialist housing schemes can provide specific accommodation for older people, for the disabled or for vulnerable adults. Policy 15 (Addressing Housing Need) sets out a policy approach to support such accommodation, subject to a number of criteria. It is however appropriate to consider specialist housing as an exception where it will serve to meet an identified local need. This approach would serve to provide flexibility within the Plan to support the delivery of specialist housing to meet needs.

Employment

5.84 The County Durham Employment Land Review (ELR) suggests that there is only very modest demand for employment land in areas away from the county's key economic market areas and our larger towns. Employment land allocations in the most rural parts of the county are therefore limited. Also, in many cases existing plots on industrial estates do not meet the needs of modern rural based businesses. However, we wish to support economic growth and the expansion of local businesses that are appropriate to the unique circumstances, within rural areas. Therefore, in some specific circumstances it may be appropriate to allow employment uses that would otherwise be contrary to Policy 6 (Development on Unallocated Sites) and Policy 10 (Development in the Countryside). Any proposal would need to demonstrate why it could not reasonably be situated on an existing or allocated industrial estate or an existing suitable building or other available land in a nearby settlement. Any proposal should reflect the character, appearance and landscape setting and should be sympathetic in scale to any nearby settlement.

5.85 It should be noted that this policy does not relate to the conversion of rural buildings for residential or employment use, or rural diversification proposals. These are included in Policy 10 (Development in the Countryside) where uses and developments which enhance the rural economy are supported.

5.86 Any exception site, whether proposed for residential or employment, must still comply with other relevant policies in the Plan and also the provisions of the Habitats Regulations, which prevent adverse impacts on European protected sites such as Natura 2000 sites and RAMSARS. Policies relating to design, amenity, visual and landscape impact are likely to be particularly relevant.

How will the Policy be monitored?**Indicator:**

1. Number of housing units approved and completed on Exception Sites.
2. Amount of employment floorspace approved and completed on Exception Sites.
3. Number of new businesses created on Exception Sites.

Target:

1. No Target.
2. No Target.
3. No Target.

Policy 12 - Permanent Rural Workers' Dwellings**Policy 12****Permanent Rural Workers' Dwellings**

Proposals for new permanent agricultural, forestry and other rural workers' dwellings outside the built up area will be permitted provided it can be demonstrated that:

- a. the nature and demands of the work involved means that there is an essential existing functional need for a permanent full time worker to live at, or very close to, the site of their work in order for the enterprise to function effectively, or the dwelling is required to accommodate a person with majority control of the farm business;
- b. the rural business activity has been established for at least three years, is currently financially sound as verified by a qualified accountant, and has a clear prospect of remaining so;
- c. the proposed dwelling is not harmful to the rural landscape and character of the area and is physically well related to the activities required;
- d. the scale of the dwelling is commensurate with the established functional requirement of the enterprise; and
- e. the functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned.

Planning permission will be granted subject to a planning condition protecting its continued occupation by agricultural, forestry, other rural workers with an essential housing need to live permanently at or near their place of work or those with a majority share in the farm business.

Permitted Development Rights will be removed in order to ensure that a dwelling is not subsequently extended to a size which exceeds its functional requirement and continues to be affordable for a rural worker.

If the enterprise has not been established for three years, temporary accommodation will only be permitted for a maximum of three years where criteria a) and c) are satisfied and there is evidence from a suitably qualified person that the enterprise is planned on a sound financial basis.

Removal of Occupancy Conditions

Removal of a rural workers' occupancy condition will only be permitted if it can be demonstrated that:

- f. there is no longer a current or potential future need for the dwelling in relation to a rural enterprise; and
- g. the dwelling has been suitably marketed for sale and/or rent for at least 12 months at a price that reflects the occupancy condition and no reasonable offer has been refused.

5.87 The National Planning Policy Framework (NPPF) makes it clear that isolated new houses in the countryside require special justification for planning permission to be granted. One of the few circumstances in which isolated residential development may be justified is when there is an essential need for agricultural, forestry and other full-time rural workers to live permanently at, or in the immediate vicinity of, their place of work.

5.88 Whether the need is essential in any particular case will require a demonstration that there is a functional requirement for a full time worker to be available at all times on the site for the enterprise to function properly; that the enterprise is financially sound so that this functional requirement is likely to continue well into the future; and that the need for a dwelling could not be met by existing buildings on the site or existing housing in the area. Cases will be judged on the needs of the enterprise and not the personal preferences of the specific individuals.

5.89 Many people work in rural areas in locations such as offices, schools, farm shops, workshops, garages and garden centres, or carry out their business in the rural area, but being employed in a rural location is not sufficient to qualify as a rural worker with an essential housing need to live permanently at or near their place of work.

How will the Policy be monitored?

Indicator:

1. Number of applications for rural workers dwellings approved.

Target:

1. None.

Policy 13 - Equestrian Development**Policy 13****Equestrian Development**

Equestrian development will be considered an appropriate countryside use and will be permitted where the following criteria are met:

- a. stables are of an appropriate size, design and construction for their intended use and the number of stables reflect the amount of grazing land available;
- b. the proposal involves the appropriate conversion of existing buildings or, where proposals involve new permanent buildings, these are located as part of, or close to, an existing farmstead or other building grouping;
- c. the proposal would not, by virtue of their siting, design, scale, materials or layout, lighting or through the inappropriate intensification of existing bridleways, routes and land, unacceptably affect the character, heritage or nature conservation value or the locality, either individually or cumulatively with other development;
- d. the proposals provide appropriate measures for screening buildings, hard standings, arenas and storage areas with trees or hedges;
- e. the proposal is supported by details of appropriate waste storage, management, end disposal and surface and ground water drainage;
- f. the proposal would not adversely impact on the general amenity of neighbouring properties and the wider area; and
- g. safe and suitable access can be achieved, and in the case of commercial establishments are located close to existing bridleways or other routes suitable for trekking or hacking out where this forms part of the business.

New equestrian development in the Green Belt will normally be regarded as inappropriate development. Where the proposal involves limited infilling relating to an existing use, small scale stables will be permitted where they do not harm the openness of the Green Belt or conflict with the purposes for which the land was included in the Green Belt.

In all cases, applicants will be expected to demonstrate adequate provision for the proper care of horses, including stabling, grazing and exercise, in accordance with the Equine Industry Welfare Guidelines⁽⁵⁵⁾ and the British Horse Society Standards⁽⁵⁶⁾. Equestrian

55 [Equine Industry Welfare Guidelines](#).

56 [British Horse Society Standards](#).

development commercial establishments need to be located sufficiently close to existing residential accommodation to allow for appropriate levels of supervision. Proposals for a residential use associated with the equestrian development will be determined against Policy 12 (Permanent Rural Workers' Dwellings).

5.90 Many parts of the county, including within the Green Belt, are experiencing growth in horse riding as an outdoor recreation and leisure pursuit and subsequently an increase in demand for land to graze and stable horses. The countryside is also easily accessible from many built up areas and therefore this combination of demand and accessibility, coupled with changes in the farming economy, is making the release of agricultural land by farmers for grazing and stabling increasingly attractive. However the impacts need to be controlled to ensure the protection of the countryside together with the general amenity of neighbouring occupiers.

5.91 Careful attention needs to be paid to the design, siting and layout of any proposal to ensure that there is no harm to the character and appearance of the area, its heritage or conservation value. The cumulative impact with other similar activities in the area will also need to be considered. Any buildings and associated development should be sensitively located and constructed of appropriate materials having regard to the character of the area. For buildings in locations away from farmsteads or other buildings, timber will often be the most suitable material provided that is of a muted colour and be well maintained.

5.92 In many cases, it is other features associated with the development such as tracks and hard standings, menages, storage of straw, hay, manure heaps, horse boxes, jumps, etc. that contribute to visual impact, rather than just the principal buildings. A landscaping scheme will often be needed to help assimilate the proposals into the surrounding countryside and screen visual clutter through the use of native trees and hedges.

5.93 In establishing new commercial establishments, the developer will be expected to demonstrate that adequate investment is being made in the new enterprise to ensure that it is viable in the long term.

5.94 Horses can be ridden on bridleways and byways so to ensure that the recreational and health benefits are maximised, proposals will be expected to be located near to existing bridleways unless it can be demonstrated that this is not necessary and adequate facilities are provided within the site to exercise horses.

5.95 The management of waste, including manure, needs to take account of both the amenity of neighbouring residents and any environmental impacts such as nitrogen-rich run-off which can affect the quality of water courses. This would be particularly relevant in Nitrate Vulnerable Zones.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 14 - Best and Most Versatile Agricultural Land and Soil Resources**Policy 14****Best and Most Versatile Agricultural Land and Soil Resources****Agricultural Land**

Development of the best and most versatile agricultural land, will be permitted where it is demonstrated that the benefits of the development outweigh the harm, taking into account economic and other benefits.

Where mineral working is proposed on best and most versatile agricultural land, proposals should seek where practicable to minimise its loss and retain its longer term capability unless the benefits of alternative restoration strategies outweigh its loss.

Soil

All development proposals relating to previously undeveloped land must demonstrate that soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice.

5.96 This policy seeks to conserve and protect best and most versatile agricultural land and associated soil resources. It sets out the circumstances when development of the best and most versatile agricultural land will be permitted and how soil resources will be managed and conserved in a viable condition and used sustainably in line with accepted best practice⁽⁵⁷⁾.

5.97 All proposals which would have the potential to involve the loss of best and most versatile agricultural land will be expected to be accompanied by an agricultural land classification statement.

5.98 Soil is a fundamental and finite resource that fulfils many important functions and ecosystem services. For example it provides a growing medium for food, timber and other crops, as a store for carbon, water and air filtration, support for buildings, as a reservoir of biodiversity and as a buffer against pollution. Some of the most fundamental impacts on this resource occur as a result of construction activity. It is therefore important that the soil resources are managed and conserved in a viable condition and used sustainably in line with best practice. Where development proposals are permanent it is important that soil resources are used effectively on undeveloped areas of the site for landscape, habitat or garden creation or used appropriately on other suitable sites. All proposals over one hectare which have the potential to adversely affect soil resources will be expected to produce a strategy for the use of topsoil and/or subsoil.

⁵⁷ Best practice on works affecting soil resources can be found from Defra in the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, 2009. Additional guidance relating to minerals and waste sites can be found in Guidance for Successful Reclamation of Mineral and Waste sites (Defra, 2004) and the Good practice guide for handling soils (MAFF, 2000).

5.99 The winning and working of minerals may involve the use of large areas of best and most versatile agricultural land as the winning and working of minerals is limited to where the mineral resource naturally occurs. Mineral working requires the careful handling and management of soil resources to preserve the potential to recreate best and most versatile agricultural land. Where working is proposed on the best and most versatile agricultural land the outline strategy for the working of the site should where practicable seek to minimise its loss and how the methods used in the restoration and aftercare enable the land to retain its longer term capability. However, in some cases, including where a substantial void has been created through mineral extraction, it is recognised that restoration to agriculture may not be practicable and alternative restoration strategies may be preferable and may provide benefits which could outweigh the loss of the best and most versatile agricultural land. Further guidance relating to mineral extraction and soil resources will be provided within the Minerals and Waste Policies and Allocations document.

How will it be monitored?

Indicator:

1. Percentage of eligible schemes accompanied by a Agricultural Land Classification Assessment.
2. Appeals upheld contrary to this policy.

Target:

1. 100%.
2. None upheld at appeal.

Delivering a Wide Choice of High Quality Homes

5.100 The National Planning Policy Framework (NPPF) requires local plans to proactively drive and support sustainable economic development to deliver the homes and thriving local places we need. Identifying and meeting Local Housing Need (LHN) is set out in Policy 1 (Quantity of Development). This section covers other aspects of housing such as providing housing that is affordable, is of the right type and meets the needs of all sections of society including older people, children, students, travellers and those that wish to build their own homes.

Policy 15 - Addressing Housing Need

Policy 15

Addressing Housing Need

To contribute towards meeting the needs of the county's existing and future residents we will require all qualifying new housing proposals to provide a percentage of Affordable Housing⁽⁵⁸⁾ which is accessible, affordable and meets the needs of those residents unable to access the open housing market.

Affordable Housing Provision

Affordable housing will be sought on sites of 10 or more units and in line with the percentages set out below. In designated rural areas, schemes of between 6 and 9 units will provide a financial contribution towards the delivery of affordable housing.

Table 8 Affordable Contributions

Viability Area ⁽⁵⁹⁾	Percentage of Housing Units
Highest Value Area	25%
High Value Area	20%
Medium Value Area	15%
Low Value Area	10%

Affordable Housing Tenure Mix

On sites with 10 or more units, 10% of the homes provided should be for affordable home ownership (starter homes, discount market sale housing and other affordable routes to home ownership). In line with the requirements in Table 8, any contribution above 10% should be provided as affordable housing for rent.

Where it can be evidenced by the applicant to the council's satisfaction that this tenure mix would make the required affordable housing contribution unviable or that alternative affordable housing products are required to meet local needs, then proposals for an alternative tenure mix as proposed by the applicant will be considered.

58 As defined in Annex 2 of the National Planning Policy Framework.

59 As shown on Map F in the policies map document.

Off-Site Provision of Affordable Housing

In certain circumstances where it can be robustly justified and it would contribute to the objective of creating mixed and balanced communities, we will accept off-site contributions in lieu of on-site provision. This includes, but is not limited to, circumstances where:

- a. there would be five or fewer affordable homes on the site;
- b. there is clear evidence that a greater number of affordable homes could be delivered off-site, in a more suitable location; or
- c. the resulting financial contribution would contribute to specific regeneration activity including bringing viable vacant housing back into use.

In all instances financial contributions should be of a broadly equivalent value of developing or buying on the open market the same number of new properties of the size and type and in a similar location that would have been provided on site. The calculation for the financial contribution will take into account the following key factors:

- The unencumbered residual land value;
- Total number of units on site;
- Registered Providers purchase amount;
- Number of units for affordable housing; and
- Total development costs.

Meeting the Needs of Older People and People with Disabilities

To meet the needs of older people and people with disabilities, on sites of 5 units or more, 66% of dwellings must be built to Building Regulations Requirement M4 (2) (accessible and adaptable dwellings) standard.

On sites of 10 units or more, we will require a minimum of 10% of the total number of dwellings on the site to be of a design and type that will increase the housing options of older people. These properties should be built to M4(2) standard and would contribute to meeting the 66% requirement set out above. They should be situated in the most appropriate location within the site for older people. Appropriate house types considered to meet this requirement include:

- level access flats;
- level access bungalows; or
- housing products that can be shown to meet the specific needs of a multi generational family.

Where it can be demonstrated that site specific factors such as vulnerability to flooding, site topography, other circumstances which may make a site less suitable for older persons house types or properties built to M4(2) (accessible and adaptable standard) or where step free access cannot be achieved or is not viable, then the requirements will not be applied on all or part of the site as appropriate.

Specialist Housing

The council will support the provision of specialist housing for older people, vulnerable adults and people with disabilities where:

- i. the development is in an appropriate location with reference to the needs of the client;
- j. it is designed to meet the particular requirements of residents;
- k. appropriate measures will be in place to ensure access for emergency vehicles and safety measures such as fire escapes; and
- l. satisfactory outside space, highway access, parking and servicing can be achieved.

Specialist housing for older people, will meet the following standards:

- m. 100% of accommodation to meet M4(2) (accessible and adaptable dwellings); and
- n. A minimum of 25% of accommodation to meet M4(3) (wheelchair user dwellings).

Where it can be evidenced by the applicant to the council's satisfaction that applying the Optional Standards at these proportions would make the proposal unviable, then proposals for alternative proportions of dwellings which meet the Optional Standards, as proposed by the applicant, will be considered. Where viability considerations dictate that the provision of affordable housing or older people's housing is below the levels set out in the policy, the council will include an overage payment clause in the Section 106 Agreement relating to the planning permission.

5.101 Many households in County Durham who lack their own housing or live in unsuitable housing cannot afford to buy or rent suitable houses at market rates. These households need affordable housing. The Strategic Housing Market Assessment (SHMA)⁽⁶⁰⁾ has undertaken an assessment of the need for affordable housing within County Durham and determined that there will be a need to provide annual additional affordable housing for 836 households over the Plan period 2016-35.

5.102 In line with National Planning Policy Framework (NPPF) pursuing sustainable development requires careful attention to viability. The council has undertaken an assessment of viability through the Local Plan Viability Assessment⁽⁶¹⁾. This has informed realistic targets for the delivery of affordable housing which do not threaten viability and the delivery of housing, and which include an assessment of the impacts of other policy requirements included within the Plan. On sites where site specific circumstances indicate that viability is an issue, negotiations on the proportion of affordable housing required, together with other planning obligations, will continue to take place. The affordable housing targets will be subject to regular review, alongside the SHMA, in recognition of changing circumstances and economic conditions.

60 [Strategic Housing Market Assessment](#) (2019).

61 [Local Plan Viability](#) (2018).

5.103 In setting targets for affordable housing delivery, it is recognised that new housing development in the highest and high value areas, where prices for new houses are more buoyant, can support the greatest level of provision. The evidence suggests that an opportunity to deliver lower levels of affordable units in medium and low value areas is also possible without compromising the viability of development. The viability areas are shown on Map F in the policies map document. In instances where a site straddles more than one viability area, the affordable housing requirement should reflect the viability area for the majority of the site.

5.104 In designated rural areas, schemes of between 6 and 9 units will provide a financial contribution towards the delivery of affordable housing. The designated rural areas are described under section 157 (1) of the Housing Act 1985 and are set out in the policies map (Map I). Financial contributions should be determined in line with the approach for determining off site contributions as set out in the policy.

5.105 In meeting the need for affordable housing, it is important to note that a local plan is not the only mechanism for the delivery of affordable homes. Traditionally, affordable housing has been delivered through three main mechanisms. The majority of affordable housing has been funded through Homes England programmes and delivered by registered providers with the remainder delivered through Section 106 agreements and a small number funded directly by registered providers through Recycled Capital Grant Fund or capital reserves.

Tenure Mix of Affordable Housing

5.106 The NPPF provides a definition of affordable housing which is set out in the glossary of the Plan. It is important that a variety of affordable housing options are offered to meet the circumstances of those in need and to cater for the affordable housing needs of specific groups. In accordance with the NPPF, 10% of homes provided on sites of 10 units or more should be available for affordable home ownership. In line with the definition in the NPPF, affordable home ownership includes starter homes, discount market sale housing and other affordable routes to home ownership. Any exceptions to this requirement will be considered in line with the considerations set out in the National Planning Policy Framework, or on the basis that alternative affordable housing products are required to meet local needs.

5.107 In line with the requirements in Table 8 of the policy, any contribution above 10% should be provided as affordable housing for rent. This reflects housing needs in County Durham as determined by the SHMA. Applications seeking an exception to this requirement will need to be supported by evidence. Examples of evidence that may be taken into account in this regard would include the tenure mix in the existing settlement, local housing need (which may differ in different parts of the county and at different times), the viability of the site and the availability of related mortgage products.

Off-Site Provision of Affordable Housing

5.108 It is recognised that the provision of affordable housing on-site as part of a wider housing development serves to support the creation of mixed and balanced communities. However, it is considered that there are some circumstances in which it may be appropriate to provide affordable housing off-site. For instance, where there were such a small number of properties that would be difficult for a registered provider to manage them, where off site contributions would serve to deliver more affordable housing than if delivered on site, or where the site was in an area where there is already a localised oversupply of affordable homes.

5.109 There may also be circumstances where a financial contribution of broadly equivalent value can be accepted in place of on-site provision of affordable homes, for example in order to improve existing housing stock as part of the council's regeneration activities. However, in all instances, the developer or the council would be expected to robustly demonstrate that the off-site provision or financial contribution was acceptable as part of the determination of the planning application.

Affordable Housing Trajectory

5.110 Trajectories are a planning tool designed to illustrate the expected rate of delivery across the Plan period. The affordable housing trajectory is based upon the countywide housing trajectory and assumes that each proposed allocation in the trajectory will deliver the required quantum of affordable housing in line with the percentage targets outlined in the policy. In respect of commitments, the trajectory reflects the approved schemes. This trajectory only shows affordable housing anticipated as a proportion of market housing.

Figure 3 Countywide Affordable Housing Trajectory



Meeting the Needs of Older People

5.111 The population of the county is already ageing and over the next few decades, there will be a ‘demographic shift’ with the number (and proportion) of older people increasing. 2014 based population projections for County Durham indicate that from 2016 to 2035 the number of people aged over 65 will increase from 105,200 to 146,300 (a 39% increase) and those aged 75 and over will increase from 45,700 to 75,700 (a 65.6% increase). As most older people usually live in small households, usually as couples and single people, a minimum of 90% of household growth over the Plan period will therefore be in households aged over 65.

5.112 The SHMA has considered the needs for accessible and adaptable dwellings in County Durham as defined by the Building Regulation M4(2) (accessible and adaptable dwellings standard). This assessment has considered the proportion of M4(2) dwellings required to meet the needs of occupants with differing needs including some older or disabled people and has considered the need to allow adaptations to properties to meet the changing needs of occupants over time. The assessment concluded that 66% of dwellings should be built to M4(2) accessible and dwellings adaptable standard. In testing the viability of applying the M4(2) standard, a site of 5 units was considered, therefore it is appropriate to apply this standard to sites of 5 or more houses. In all cases the requirement would be rounded up or down to the nearest whole number.

5.113 A survey undertaken as part of the development of the SHMA considered the housing options of older persons. Whilst a range of options were considered a notable proportion of older people were considering buying a property on the open market or renting from a housing association to meet their housing needs. This evidence suggests a need to continue to diversify the range of housing options for older people.

5.114 At the moment the stock of bungalows and flats in the private sector across the county is much too small to meet the interest that has been expressed from older people, particularly as most flats have not been built with their needs in mind. In recent years very few properties of this type have been built and therefore the proportion of bungalows and flats in the private sector housing stock is declining.

5.115 For the purposes of assessing the viability of the requirement for older people's housing, the Local Plan Viability Study has made an assumption that the full 10% of the provision would be provided as bungalows and that they would meet the Building Regulation M4(2) (accessible and adaptable dwellings standard)⁽⁶²⁾. The study has confirmed that it is generally viable for all sites to include 10% of private houses as bungalows. Although the viability assessment has been run based on bungalows, other types of housing including level access flats and housing products that can be shown to meet the specific needs of a multi-generational family would accord with the policy. The provision of homes of a design and type to meet the needs of older persons built to M4(2) standard, would contribute towards meeting the 66% requirement for M4(2) properties as set out in the policy.

5.116 The 10% requirement for housing aimed at increasing options for older people also includes an option for developers to provide housing aimed at meeting the needs of multi-generational families. The formation of multi-generational families, which include older people, is being driven by financial pressures and rising care costs. Multi-generational housing is a popular product in other countries but, to date, has not been used on a widespread basis in the UK, which limits the evidence base from a viability perspective. For this reason, this product has not been subject to viability testing. It is considered that this type of housing should generally have potential for a semi-private living space within the house with an additional bathroom and perhaps kitchen facilities.

5.117 There may also be opportunities to provide self-build plots for retirement housing in housing schemes, or a group of self-build plots aimed at co-housing groups.

5.118 All new housing provided for older people must meet high standards of accessibility and amenity relevant to their needs. We will also be sympathetic to households which wish to extend or adapt existing homes in order to care for older relatives, where any related impacts are acceptable.

5.119 Where viability considerations dictate that the provision of affordable housing or older people's housing is below the levels set out in the policy, the council will include an overage payment clause in the Section 106 Agreement relating to the planning permission. This will serve to secure a financial contribution upon the completion of the scheme which would reflect any changes in market conditions, typically any uplift in the market. The financial contribution will be used to provide affordable housing and housing for older people.

Specialist Housing

5.120 There is a need for specialist housing in County Durham for older people, for the disabled and for vulnerable adults. Such forms of development include sheltered and extra care facilities (both for rent and owner occupation) and nursing homes. In considering future needs it is important to note that other forms of specialist accommodation may be more appropriate than conventional sheltered housing to rent.

62 The Building Regulations 2010, access and Use of buildings, approved Document M, 2015 edition incorporating 2016 amendments - for use in England.

5.121 Locational issues are important and the applicant should consider the needs of the future residents in this regard. Some residents will likely experience a greater degree of independent living than others, however depending on the needs of the resident, being situated in an established housing area, with proximity to public transport and local services, can serve to promote independence. Applicants will be required to demonstrate how the location of a proposed specialist housing is appropriate to future residents.

5.122 There may be particular opportunities within some housing schemes for developers to accommodate commercial sheltered housing with a resident warden or extra care schemes which offer round the clock care. Housing sites near to existing or proposed retail centres and services are likely to be particularly suitable.

5.123 Specialist housing should be designed with the particular requirements of the future residents in mind and buildings should be fit for purpose, accommodating for facilities which meet residents' needs. Specific consideration should be given to access for emergency vehicles and other safety measures linked to the needs of residents. Specialist housing should accommodate for satisfactory outside amenity space designed with the occupiers in mind. Access and parking should seek to make suitable provision for residents, carers and visitors.

5.124 In respect of specialist accommodation for older people, this policy brings into effect the Optional Standards as set out in Building Regulations requiring 100% of new accommodation to meet M4(2) (accessible and adaptable dwellings) and a minimum of 25% of accommodation also to meet M4(3) (wheelchair user dwellings). This need has been evidenced through the council's SHMA. However, where it can be evidenced by the applicant to the council's satisfaction that applying the Optional Standards at the proportions as set out in the policy, would make a proposal unviable, then the council will consider alternative proportions of dwellings which meet the Optional Standards, as proposed by the applicant.

How will it be monitored?

Indicator:

1. Percentage of approved and completed housing units that meet the specific needs of older people by tenure type.
2. Percentage of affordable housing units delivered by viability area.
3. Affordable housing units approved and completed by tenure and viability area.

Target:

1. 10% of private or intermediate housing provided on all sites to meet specific needs of older people in terms of design, form and layout.

Viability Area	Percentage of Housing Units
Highest Value Area	25%
High Value Area	20%
Medium Value Area	15%

Viability Area	Percentage of Housing Units
Low Value Area	10%

3. Affordable housing with a tenure mix of 70% affordable rented housing to 30% intermediate products.

Policy 16 - Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation

5.125 This policy provides a means to consider Durham University development, proposals for purpose built student accommodation and proposals for houses in multiple occupation in the Durham City area. Durham University has published a Strategy for the period 2017–27, which contains an Estate Masterplan. Part 1 of this policy will be used to assess applications brought forward by the University. Part 2 of the policy relates to purpose built student accommodation and will be used to assess any applications for such proposals from the University or other accommodation providers. Part 2 of the policy also allocates suitable sites for student accommodation. The council has introduced Article 4 Directions in Durham City, which means that within the area of these directions, planning permission is required for a change of use to a house of multiple occupation (HMO). These Article 4 Directions, in combination with Parts 2 and 3 of this policy will serve to deliver student accommodation to create inclusive places in line with the objective of creating mixed and balanced communities.

Policy 16

Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation

1. Durham University Development

Durham University will continue to evolve and compete as a vibrant, diverse and high quality education-led mixed-use establishment, including arts and cultural uses, managed workspace for start-up businesses and other complementary uses.

Planning permission will be granted for new University facilities including academic, residential, sport and cultural floor space and for the refurbishment of existing buildings where:

- a. the proposal respects the character and setting of the area and has regard to the needs and requirements of the local community;
- b. there is no unacceptable impact on the Durham Castle and Cathedral World Heritage Site or its setting as assessed against the Outstanding Universal Values and opportunities are taken to enhance and better reveal its significance;
- c. it sustains and enhances the significance of designated heritage assets, including the conservation area, including their settings and where appropriate, better reveals their significance. Development that results in harm to the setting and/or significance of designated or non designated heritage assets will not be supported unless the harm is outweighed by the public benefit;

- d. there is no unacceptable harm on ecology and biodiversity;
- e. the movements of staff and students around the city have been considered for all users and, where necessary, measures are provided for this demand such as widening footways, improving junctions, or through the provision of new routes for pedestrians and cyclists;
- f. Parking spaces and electric vehicle charging points are provided having regard to the County Durham Parking and Accessibility Supplementary Planning Document (SPD);
- g. in the case of sport and recreation facilities a community access agreement will be required; and
- h. the proposal will enhance or create well-designed spaces, and exploit sustainable energy opportunities, including the delivery of district heating, where possible.

2. Purpose-Built Student Accommodation

The following sites are allocated for purpose-built student accommodation:

Table 9 Allocations for Purpose Built Student Accommodation in Durham City

Ref	Site	Notes
PBSA1	Leazes Road	<p>Site 1:</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> • preserve or enhance the significance and setting of the non-designated heritage assets contained within the site. This will be achieved through retention, restoration and sympathetic re use/conversion; • ensure that views towards the World Heritage Site (WHS) are protected and opportunities taken to enhance views or create new views; • respect and conserve the landscape quality of the site including retention of key landscape features; • retain key historic boundary features within the site. <p>Site 2:</p> <p>Development of the site will:</p> <ul style="list-style-type: none"> • preserve or enhance the setting of the designated and non-designated heritage assets adjacent to the site; • preserve or enhance the character and appearance of the conservation area; • maximise opportunities to redevelop the buildings which currently have a negative impact on the character and appearance of the surrounding conservation area; • retain key historic boundary features within the college site; • preserve or enhance the significance and setting of the non-designated heritage assets contained within the site. This will be achieved through retention, restoration and sympathetic re use/conversion. <p>Site 3:</p> <p>Development of the site will:</p>

Ref	Site	Notes
		<ul style="list-style-type: none"> • preserve or enhance the significance and setting of the designated and non-designated heritage assets contained within the site. This will be achieved through retention, restoration and sympathetic re use/conversion; • ensure that views towards the WHS are protected and opportunities taken to enhance views or create new views; • respect and conserve the landscape quality of the site including retention of key landscape features; • retain key historic boundary features within the site; • maximise opportunities to better reveal the significance of the listed building within the site.
PBSA2	Howlands (Josephine Butler and Ustinov)	<p>Development of the site will:</p> <ul style="list-style-type: none"> • preserve or enhance the significance and setting of the non-designated heritage asset contained within the site, specifically the historic farm buildings; • consist of limited infill or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development; • respect the strong radial pattern of the existing buildings; • respond positively to the landscape features and topography of the site.
PBSA3	James Barbour House	<p>Development of the site will:</p> <ul style="list-style-type: none"> • ensure that views towards the WHS are protected; • preserve or enhance the setting of the designated and non-designated heritage assets adjacent to the site; • retain the existing trees around the periphery of the site; • respond positively to the height constraints of the site; • be confined to the existing developed areas of the site.
PBSA4	Elvet Hill Car Park	<p>Development of the site will:</p> <ul style="list-style-type: none"> • preserve or enhance the setting of the non-designated heritage assets adjacent to the site; • retain the existing trees which contribute positively to the visual amenity of the area and setting of heritage assets.
PBSA5	St Mary's College	<p>Development of the site will:</p> <ul style="list-style-type: none"> • consist of appropriate refurbishment and limited infill; • respect the college's architectural qualities and plan form while reinforcing its local distinctiveness; • respond positively to the landscape features and topography of the site.
PBSA6	Mill Hill Lane	<p>Development of the site will:</p> <ul style="list-style-type: none"> • retain the existing tree belts to the east and west of the site; • preserve or enhance the setting of the non-designated heritage asset adjacent to the site.

All proposals for new, extensions to, or conversions to, Purpose-Built Student Accommodation on sites not allocated for student accommodation, will be required to demonstrate:

- a. that there is a need for additional student accommodation of this type in this location;
- b. consultation with the relevant education provider pursuant to the identified need;
- c. it would not result in a significant negative impact on retail, employment, leisure, tourism, housing or the council's regeneration objectives;
- d. the development is readily accessible to an existing university or college academic site, or hospital and research site;
- e. the design and layout of the student accommodation and siting of individual uses within the overall development are appropriate to its location and in relation to adjacent neighbouring uses;
- f. the internal design, layout and size of accommodation and facilities are of an appropriate standard;
- g. the activities of the occupants of the development will not have an unacceptable impact upon the amenity of surrounding residents in itself or when considered alongside existing and approved student housing provision. Prior to occupation a management plan or draft outline management plan appropriate to the scale of the development shall be provided;
- h. the quantity of cycle and car parking provided has regard to the council's Parking and Accessibility Supplementary Planning Document (SPD); and
- i. the applicant has shown that the security of the building and its occupants has been considered along with that of other local residents and legitimate users.

Where appropriate, development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment, and should seek opportunities to enhance and better reveal the significance and understanding of heritage assets whilst improving access where appropriate.

3. Houses in Multiple Occupation

In order to promote create and preserve inclusive, mixed and balanced communities and to protect residential amenity, applications for new build Houses in Multiple Occupation (both Use Class C4 and sui generis), extensions that result in specified or potential additional bedspaces and changes of use from any use to:

- a Class C4 (House in Multiple Occupation), where planning permission is required; or
- a House in Multiple Occupation in a sui generis use (more than six people sharing)

will not be permitted if:

- a. including the proposed development, more than 10% of the total number of residential units within 100 metres of the application site are exempt from council tax charges (Class N Student Exemption);

- b. there are existing unimplemented permissions for Houses in Multiple Occupation within 100 metres of the application site, which in combination with the existing number of Class N Student exempt units would exceed 10% of the total properties within the 100 metres area; or
- c. less than 10% of the total residential units within the 100 metres are exempt from council tax charges (Class N) but, the application site is in a residential area and on a street that is a primary access route between Purpose Built Student Accommodation and the town centre or a university campus.

In all cases applications for new build Houses in Multiple Occupation, change of use to Houses in Multiple Occupation or a proposal to extend an existing House in Multiple Occupation to accommodate additional bed space(s) will only be permitted where:

- d. the quantity of cycle and car parking provided has regard to the council's adopted Parking and Accessibility Supplementary Planning Document (SPD);
- e. they provide acceptable arrangements for bin storage and other shared facilities and consider other amenity issues;
- f. the design of the building or any extension would be appropriate in terms of the property itself and the character of the area; and
- g. the applicant has shown that the security of the building and its occupants has been considered, along with that of neighbouring local residents.

New build Houses in Multiple Occupation, extensions that result in specified or potential additional bedspaces or a change of use to a House in Multiple Occupation would not be resisted in the following circumstance:

- h. where an area already has a concentration in excess of 90% of council tax exempt properties (Class N), that this is having an unreasonable impact on current occupiers and that the conversion of remaining C3 dwellings will not cause further detrimental harm to the residential amenity of surrounding occupants; or
- i. where an existing high proportion of residential properties within the 100 metres are exempt from council tax charges (Class N), on the basis that commercial uses are predominant within the 100 metre area.

Durham University Development

5.126 Durham University is a major asset to the city, shaping the built environment, contributing to the cultural and heritage offer, developing highly skilled individuals as well being a major employer and a purchaser of local goods and services. The University is also renowned for its research departments and facilitates business and industrial research, including at NETPark, the North East's only science park. In this context, the positive impacts of the economic, social and environmental benefits brought about by the University are felt across the county.

5.127 Durham University has published its Strategy for the period 2017 to 2027. This Strategy sets out how the University will build upon its strengths including research, education and the wider student experience. It sets out the intention to globalise the University and make it a more significant player in the region, the UK and beyond. The Strategy also encompasses the Estate Masterplan 2017-2027 which provides a guide to how the University could develop its estate in the long term. Its purpose is to provide a clear spatial framework for the delivery of the Strategy and Estate Masterplan. It sets out a scenario for possible future land use, distribution of activities, flexibility of building use and movement patterns within which individual projects may be taken forward in the future.

5.128 Part 1 of the policy relates to the University Masterplan and sets out a framework to consider the impacts of proposals for university related development including arts and cultural uses, managed workspace for start-up businesses and other complementary uses. In assessing major development proposals consideration will be given to the impact of the development in the context of existing and approved development. To note, any student accommodation element of the proposals would also be assessed under Part 2 of the policy.

5.129 The medieval core of Durham City is focused around the Castle and Cathedral World Heritage Site which lie on a steep-sided peninsula formed by an incised meander of the River Wear. The historic core remains small, compact and legible, separated from the suburbs on higher ground by the strong 'green fingers' of the Wear valley which penetrate into the heart of the city from the north and south, and defined in the west by the valley of the River Browney. The form of the modern city and its relationship to the underlying topography makes a significant contribution to its special character. With the definition of an encircling Green Belt in the City of Durham Local Plan (2004) the outward expansion of the city ceased, primarily to preserve the setting and special character of the city but also to assist in urban regeneration by directing development to the surrounding villages. Since that time there has been some localised consolidation of the built form in areas like Belmont Business Park and Mount Oswald. Within the City of Durham Local Plan, a number of university sites were identified formally as Major Developed Sites. In line with NPPF, Policy 20 (Green Belt) no longer identifies major developed sites. There is however a recognition that there are longstanding uses which already exist within the Green Belt where there may be opportunities for limited infilling or redevelopment providing that there will be no greater impact on openness or Green Belt purposes.

5.130 Within the immediate environs of Durham City, the University acts as the custodian for a total of 60 listed buildings: 5 grade 1; 5 grade 2*; and 50 grade 2, and one ancient monument. It is also the guardian of numerous buildings of quality, identified through the planning process as non-designated heritage assets. The University continues to invest in the upkeep and maintenance of these buildings and structures and is also a key partner in delivering the World Heritage Site Management Plan. Proposals should be based on a thorough understanding of the significance of the site and its setting having regard to the adopted World Heritage Site Management Plan, Statement of Outstanding Universal Value, Durham City Conservation Area Character Appraisal and the appropriate recommendations of any other specialist reports required to support an application. In circumstances where harm is identified to heritage assets or their setting, the applicant will be expected to demonstrate appropriate public benefits which outweigh such harm, and that those public benefits could not be delivered through development in an alternative form.

5.131 The University estate includes large areas of green space, including sports pitches, parks, gardens and woodland, which act as green corridors forming part of a wider environmental network across the city.

5.132 With a student population of 18,000 and as a key employer which employs over 4,300 people, Durham University has a major impact on how the city functions. This means that if the council wants to achieve sustainable transport solutions in Durham City it is important to fully understand the implications of the University's expansion plans for the city's transport systems. Within its Estate Masterplan, the University has a clear objective of moving towards sustainable travel and decreasing

car dependency. This objective will be supported by the measures in the Durham City Sustainable Transport Delivery Plan. It is also important that the provision of any additional parking spaces are assessed using the County Durham Parking and Accessibility Supplementary Planning Document (SPD).

5.133 The redevelopment of the Maiden Castle Sports and Wellbeing Park will improve and enhance this part of the University's estate providing upgraded sport and recreation facilities. The improved development will be more attractive to host major external sporting events that will raise the city's profile, attract visitors and generate new income. However it is critical that these facilities and similar other developments undertaken by the University, whilst improving staff and student experience, must also benefit the wider community. Therefore the council will require that community access agreements are agreed to support the development of any sports or leisure facilities to enable their use by residents, visitors and local schools and community clubs.

5.134 The Durham Energy Institute is working to mitigate the Estate Masterplan through de-carbonising new and existing development. The University's new build policy also confirms that its buildings should aim to be built to BREEAM Excellent (or equivalent) standard and be zero carbon as far as practicable.

5.135 There are further opportunities which the University is exploring that could also bring significant benefits for the city, both in relation to new buildings and new projects. Examples include generating heat from mine-water, solar carports and district heating.

Purpose Built Student Accommodation

5.136 Purpose Built Student Accommodation (PBSA) is accommodation built, or converted, with the specific intent of being occupied by students, either with individual en-suite units or sharing facilities. PBSA is a building which is not classified as Use Class C4 or anything licensable as an HMO. In Durham City it is recognised that other forms of residential development such as, but not limited to, one bed apartments, may appeal to the student population and may ultimately be occupied by students even though they are not developed specifically as PBSA. For this reason, where it is considered that a proposal may appeal to the student population, based on the type of accommodation proposed, the size of the units and the location of the proposal, then it will be appropriate to assess the proposal against Part 2 of the Policy.

5.137 The University's Strategy 2017–2027 notes that in 2017, there were 15,500 students in Durham City and 2,500 students at the University's Queen's Campus at Stockton. The Strategy also notes that all students at the University will be located in Durham City from the academic year 2018/19, and in this regard the Stockton campus will then be re-purposed. The Strategy sets out that by 2027, the student population at Durham University and in Durham City is targeted to be 21,500. The impact of the Strategy and the Estate Masterplan have been subject to an Impact Study undertaken by the council⁽⁶³⁾.

5.138 The University's aspiration, as set out in the Strategy, is to house 50-55% of students in college-affiliated accommodation by 2027. The University is seeking to achieve this by developing new colleges on their own land. The University will also work in partnership with some of the PBSA providers. In recognition of the importance of Durham University to the county and the scope of the University Strategy, following a call for sites undertaken in 2016, we have allocated a number of sites for student accommodation as listed in the policy and shown on the policies map. The policy includes site-specific requirements associated with each allocation in order to ensure an appropriate form of development. In some circumstances, given the current built form of development on the site, a combination of refurbishment of existing buildings with infill development and elements of redevelopment sensitive to the built form and site context, would be appropriate. Whilst the policy

63 [Impact Study](#) (2018).

confirms in principle PBSA would be acceptable on these sites, the form of development would be subject to consideration at the application stage. The Howlands site allocation is a current major developed site in the Green Belt. Limited infill or the partial or complete redevelopment of previously developed land which would not have a greater impact on the openness of the Green Belt than the existing development, would therefore be appropriate. Each of the PBSA allocations are associated with a site assessment covering ecology, landscape and transport implications as well as a detailed Heritage Impact Assessment which provides further information on how the site could be developed.

5.139 The Plan approach aligns with that of the University Strategy in that, wherever possible the increase in student numbers in the city should be accommodated in PBSA designed and managed in a way that meets the needs of students on-site which will attract student take-up. It is however, recognised that the student housing market is not static, for example some existing provision needs upgrading, there needs to be choice in the market and that some areas of the city have high concentrations relative to the number of residents.

5.140 East Durham and Houghall Community College, New College Durham, The University Hospital of North Durham, St John's College and St Chad's College are other further education establishments in Durham City; and there are also Colleges of Further/Higher Education in Bishop Auckland, Consett and Peterlee within County Durham, and in Darlington and other major towns around the county's borders. Any future expansion of these establishments may impact on the requirement for student accommodation and the situation should be kept under review.

5.141 The consideration of 'need' for additional student accommodation which developers must undertake shall include, but not be limited to, the potential contribution of schemes with planning consent; and University student growth forecasts. Developers should demonstrate what specific need the proposal is aimed at and why this need is currently unmet, giving consideration to the type of accommodation proposed. In seeking to meet need, the council recognises that PBSA can increase choice for the student population and is an alternative to Houses in Multiple Occupation (HMO).

5.142 To ensure that PBSA is designed to meet the needs of the students, it is important that the applicant can demonstrate consultation with the relevant education provider. This will ensure that accommodation reflects the accommodation requirements of the student population.

5.143 Assessing proposals for new purpose built accommodation against the criteria above will ensure that schemes are progressed in appropriate locations which meet the council's regeneration priorities. It is recognised that PBSA can support the viability of a wider development and support regeneration opportunities. However, where PBSA is proposed on town centre sites that could have been used for other types of more traditional city centre uses such as retail or leisure it is important that PBSA will only be one element of mixed use schemes (such as was the case with the redevelopment of The Gates) to ensure that the impact on the city centre's vitality and viability is minimised.

5.144 New student accommodation should not be built at the expense of general housing as the council must address the need for new family and affordable housing. In order to protect the delivery and supply of sites for general housing, proposals for purpose built student accommodation on sites allocated for general housing, will not be acceptable.

5.145 In order to promote sustainable methods of travel, PBSA should be readily accessible to university or other relevant teaching buildings. Developments should be sited to take advantage of opportunities for walking, cycling and the use of public transport.

5.146 PBSA should be designed to meet the accommodation needs and aspirations of the student population. The development should be accessible and appropriate to disabled students. It is considered prudent for the design of PBSA to build in flexibility to ensure that it could potentially appeal to other users. For instance, outdoor areas designed for student amenity areas could be

re-purposed for car parking should it be required in line with a future use on the site. Developers should ensure that there is no unacceptable effect on residential amenity in the surrounding area through increased noise, disturbance or impact on the street-scene either from the proposed development itself or when combined with existing accommodation. The impacts of a large number of students living in an area maybe more easily mitigated when they are living in purpose built accommodation which has a management plan, rather than a number of HMOs.

5.147 Implementation of a management plan will be controlled through the use of planning conditions or an appropriate legal agreement. The management plan should set out what measures will be put in place to ensure the best integration of the development with the local community and neighbours. It will also address issues such as, but not limited to, the tenants moving in and out at the beginning and end of each term, management of the building, tenancy agreements, fire and health and safety and community liaison. The management plan should also address opportunities for waste recycling.

5.148 The council's current Parking and Accessibility Guidelines include standards for student accommodation. The standard in Durham City is different from the rest of the county in recognition of the fact there is a controlled parking zone (CPZ) and students would not be issued with permits to park in the CPZ. It requires one space per five members of staff plus a disabled persons parking space. No requirement is made for student car parking if the accommodation is within the CPZ. Outside the CPZ the requirement is one per five members of staff plus one space per six students. Cycling parking requirements are a minimum of one enclosed covered space per five students plus one short stay space per 20 students. Applications should accord with the most recently approved iteration of the County Durham Parking and Accessibility SPD.

5.149 Students and student properties are often targeted for crime. It is considered important to pay particular attention to the security of PBSA and to ensure the safety of its occupants and other legitimate users (who may include members of the public accessing on site facilities by agreement such as an on-site café or leisure facility). The applicant will be expected to make provision for security of the building in the design of the scheme.

Homes in Multiple Occupation

5.150 A House in Multiple Occupation (HMO) under planning legislation is defined as a house or flat occupied by a certain number of unrelated individuals who share basic amenities and is classified by the Uses Classes Order as Class C4 (between three and six residents); and Sui Generis (more than six residents). Planning permission is not required for changes of use from Class C3 (residential) to Class C4 (HMO) unless an Article 4 Direction has been made for a particular locality. It is possible to apply for a dual use (e.g. Class C3 and Class C4), in Durham City, Part 3 of this policy will apply to the assessment of such proposals, given the likelihood of occupation as an HMO.

5.151 HMOs can provide accommodation for a wide range of groups including professionals, students, migrants, and people on low incomes. In County Durham the majority of HMOs are located in Durham City and are occupied by students of Durham University.

5.152 Given the relatively large size of the University in relation to that of the city, students make up a significant proportion of the term time population contributing greatly to its culture, economy and vibrancy. However there can also be adverse impacts on the amenity of residents in areas where student HMOs are dominant. This policy will therefore be used to assess the acceptability of a proposal for an HMO, balancing the contribution that such a development will make to meeting housing demand against the potential harm that might be caused to the character and amenity of the surrounding area and the suitability of the property concerned. It is however recognised that the University and its students undertake positive actions to help mitigate these challenges such as volunteering, community liaison and having a policy on anti-social behaviour.

5.153 HMOs are not spread evenly throughout the city. The highest concentrations are in the Viaduct area, where over 90% of all properties are thought to be occupied by students living in HMOs benefiting from a Class N council tax exemption. In recent years, more students have been occupying houses around Elvet and Whinney Hill, which is very close to the main University campus and students' union. There is a general perception that students want to live as close to the city centre as possible. However, because of increasing demand, students are also moving into other areas further afield.

5.154 It is estimated that there are around 350 HMOs that fall under mandatory HMO licensing. It is estimated that there are an additional 1,200-1,400 two-storey or smaller HMOs in Durham City. This may be an underestimate as not all HMOs are occupied by students although in Durham City, HMOs are overwhelmingly occupied by students. For these reasons, for applications for HMOs in Durham City, the assumption is that they will be occupied by students.

5.155 The council's approach is to seek to maintain and create sustainable inclusive and mixed communities in Durham City. Residents have expressed concerns that concentrations of student accommodation in HMOs amongst the general housing stock can negatively impact upon residential amenity and change the overall character of an area. This is primarily as a result of noise, the general appearance of properties, refuse management and parking issues. Properties becoming unoccupied outside of term times can also have a negative impact upon remaining residents.

5.156 The council has introduced Article 4 Directions to remove permitted development rights for change of use from C3 to C4 for Durham City, Framwellgate Moor, Newton Hall and Pity Me. We will consider the introduction of further Article 4 Directions where appropriate and will also give consideration to removal of permitted development rights on new housing outside of the Article 4 Direction area.

5.157 Part 3 of the policy uses a threshold of 10%. This 'tipping point' has been derived from section 2 of the 'National HMO Lobby Balanced Communities and Studentification Problems and Solutions', which was published in 2008. The policy approach recognises that it is the cumulative impact of HMOs that has an impact upon residential amenity and can change the character of an area over time.

5.158 Where an area already has exceeded the 10% tipping point, it is considered that there is an existing imbalance between HMOs occupied by students and homes occupied by other non student residents. This can be to the detriment of the residential amenity of the non student residents in the area. On this basis it is recognised that an extension to an HMO which results in additional bedspaces and therefore potentially accommodates more students would introduce further students into an area where there are already concerns about the impact of the student population on the residential amenity of non student residents. For this reason, extensions to HMOs to accommodate bedspaces where the 10% tipping point is exceeded will not be supported.

5.159 This policy would apply to extensions to an HMO to provide for additional bedspaces, but also to extensions which result in additional floorspace which means the property could be reconfigured to accommodate additional bedroom space. In this context, even if the extended part of the property is not intended to accommodate a bedroom or bedrooms, if a proposed extension would enable an internal reconfiguration of the property with the result of the creation of additional bedroom or bedrooms then the policy would apply. In determining whether an extension is of a scale such that a property may be reconfigured to accommodate additional bedspaces, the council will have regard to evidence such as the Nationally Described Space Standard which sets out bedroom sizes and which provides a guide to the interpretation of this policy.

5.160 In order to assess the percentage of student exempt properties, the council will use council tax information consisting of those properties with Class N exemption mapped using the council's GIS mapping system. Council tax data provides an independent, secondary and consistent data set

to understand the presence of student properties within general market housing. The council will make use of council tax data relating to the relevant academic year and this will be updated twice annually. An individual's council tax status is a private matter and subject to data protection. Therefore, in line with the policy a percentage figure will be generated for each application, the council will also confirm the number of council tax exempt properties informing this figure however, it is not possible to note the location of these properties as this would constitute sharing personal data.

5.161 An exemption from council tax is only possible if the property is solely occupied by students. If one occupier of an HMO is not a student the property cannot benefit from a Class N exemption. It is considered that the presence of non-students in a HMO may change the character of the property and accordingly the impact upon residential amenity of neighbours and the character of the wider area.

5.162 Part 3 of the policy considers the proportion of Class N student exempt council tax properties within 100 metres of the application site. It is considered that the use of a 100 metre radius from the application site serves to provide an understanding of the potential cumulative impact of the localised concentration of Class N student exempt properties and the impact that the proposed development would have on this concentration.

5.163 It is recognised that there may be a time lag between permission being granted and implemented. Particularly, as occupation of properties will likely follow the cycle of the academic year. There may therefore be a situation where a number of commitments are in place but, are not occupied therefore are not registered as Class N student exempt. The policy provides a means to consider the impact of these unimplemented consents on a residential area in combination with the council tax data.

5.164 PBSA, by its very nature, can house a large number of students. Whilst these forms of development are a distinct and separate form to HMOs, student populations returning to and from and accessing PBSA through a predominantly residential area can impact upon residential amenity. Cumulatively, alongside HMOs this can have an impact upon the character of an area. The policy therefore seeks to acknowledge the impact of student populations in a neighbourhood, for example the impact of comings and goings along primary access routes between PBSA and the town centre or a university campus.

5.165 In relation to parking, each application will be assessed on an individual basis taking into account the capacity of the street, the controlled parking zone (CPZ), and the council's adopted Car Parking and Accessibility SPD.

5.166 Poor management of rubbish and recycling at HMOs can lead to unattractive frontages, problems with vermin and raise concerns over health and safety. Such issues can affect the amenity of nearby properties and may lead to complaints from neighbouring residents. These matters should therefore be appropriately addressed at the planning application stage. Applications for new build or change of use to an HMO will be expected to be accompanied with appropriate details of how household waste and recycling will be stored and presented for collection at the property. This should include layout drawings of the application site and its surroundings, clearly indicating the bin storage area. Acknowledgement should be made of the fact that the occupiers of an HMO may generate more waste than a single household with the same number of occupiers.

5.167 The council would like the areas with high concentrations of HMOs to become more mixed. However, there may be some cases where localised communities are already so imbalanced that the policy objective of protecting a balance is unlikely to be achieved. In these cases owners of Class

C3 dwellings may find difficulty in finding a purchaser for continued Class C3 use and may therefore wish to change to Class C4/HMO use. In considering whether to make an exception in such cases the council will have regard to things such as:

- the proportion of existing Class N council tax exempt properties within 100 metres of the application site and their impact upon the character of the area in terms of whether such a concentration might be likely to affect the amenity of normal family life;
- there is documented evidence of unsuccessful active marketing of the property as a Class C3 dwelling, with at least one recognised estate agent at local market levels, over a continuous period of at least 12 months; or
- other circumstances where the applicant can provide evidence which confirms that the policy restriction is causing severe personal hardship.

5.168 There are some instances where a high proportion of residential properties are exempt from council tax charges in a given area because there is a low proportion of other residential uses. An example of this would be in a town centre location where other uses are dominant and a small number of Class N exempt properties equate to a large proportion. In such circumstances, a HMO use may be appropriate, for instance in an upstairs flat above a retail unit. Such an approach would not impact upon the character of residential areas or the amenity of residents.

How will the Policy be monitored?

Indicator:

1. Number of new bedspaces in HMOs approved.
2. Number of units approved and completed on allocated PBSA sites.
3. Percentage change of total HMOs in Durham City.
4. Number of new bedspaces in PBSA approved.
5. Appeals upheld contrary to this policy.

Target:

1. Related to identified need.
2. No Target.
3. No Target.
4. Related to identified need.
5. None upheld at appeal.

Policy 17 - Sites for Travellers

Policy 17

Sites for Travellers

Proposals for new Traveller and Travelling Showpeople sites or extensions to existing sites will be permitted provided that:

- a. the site is within an existing settlement or is immediately adjacent to a settlement providing employment, schools, medical facilities, public transport and other local services;
- b. the site is within short and safe walking distance of services and facilities or a public transport route;
- c. the development is sympathetic to the scale of any adjoining settlement;
- d. the scale or location of the development will not detract from the amenity or living conditions of local residents or occupants of the site;
- e. the development can be integrated into the landscape and reflects the character of the surrounding area; and
- f. the site has been comprehensively planned to meet statutory licensing requirements for caravan sites and takes into account the needs of the households that are to occupy it and any impacts on neighbouring residents' amenity, including screening between plots, storage, circulation, parking and any employment uses proposed.

Temporary 'stop-over' areas related to common travelling routes will be permitted where their impact is reasonable when weighed against short term use. If temporary sites are needed to enable existing sites to be refurbished, nearby locations will be considered in the first instance and permission granted on a temporary basis.

5.169 County Durham has significant numbers of Gypsies and Travellers. Most live in housing but a sizeable population live on six council sites and a number of authorised private sites across the county. With 126 pitches, County Durham has the second highest number of social pitches for Gypsies and Travellers of all English authorities and over a third of all pitches for Gypsies and Travellers in the North East. Since 2009, planning permission has also been secured for 31 pitches on 12 privately owned sites across the county with 10 of these available for letting. The council also provides six temporary 'stop-over' areas in the county which are made available for 28 days or less each year for seasonal use, also enabling Gypsies and Travellers to travel to popular events like Appleby Fair. The council takes responsibility for maintaining gates, fencing, grass cutting, and the access points to these areas. Refuse collection and temporary toilets are also provided to Gypsies and Travellers using other areas, to enable them to travel and maintain their cultural lifestyle.

5.170 We have recently completed a comprehensive refurbishment programme of all of our sites to modern standards and have introduced modern management regimes. This was the most comprehensive refurbishment programme of its type in the country. Ten additional pitches were created as part of this process. The distribution of social sites and pitches across the county is:

- 13 double pitches at Tower Road, Greencroft, Stanley;
- 19 double pitches at Drum Lane, Birtley;
- 19 double pitches at Adventure Lane, West Rainton;
- 25 single pitches at St Phillip's Park, Coundon Grange;
- 25 double pitches at Ash Green Way, Bishop Auckland; and
- 25 double pitches at East Howle, Ferryhill.

5.171 The disruption created by the refurbishment extended over a number of years commencing in 2009 and completed in February 2015. Gypsies and Travellers' normal settlement patterns on pitches were significantly disrupted over this period. Standard vacancies were temporarily filled by Gypsies and Travellers dispersed from other sites; some Gypsies and Travellers moved away from the county, some moved into housing; others who might have moved into the county or from housing on to sites did not. Following completion of the refurbishment, a substantial number of new lettings became available attracting a significant number of Gypsies and Travellers from outside the county. However demand from outside County Durham is now lower, supporting the view that the turnover of pitches has now returned to a more stable equilibrium.

Travellers Site Needs Assessment

5.172 In order to assess future needs for Gypsies, Travellers and Travelling Showpeople, a Travellers Site Needs Assessment (TSNA) has been undertaken. The TSNA calculated the supply and demand for permanent Gypsy and Traveller sites up to 2035 by identifying the current level of supply and demand, and then making adjustments for flows of households moving between different types of accommodation and into or out of the county. Household flows that increase supply include for example households vacating pitches to move into bricks and mortar housing, or moving out of the county. Examples of flows that increase demand include new families setting up home, or households in bricks and mortar choosing to move onto sites.

5.173 The TSNA has been prepared in accordance with the Government's guidance document 'Planning Policy for Traveller sites', August 2015. Although this 2018 TSNA has taken account of the Government's 2015 change to the planning definition of 'Gypsy and Traveller', it has also assessed the needs of those meeting the earlier, wider 2012 definition of 'Gypsy and Traveller'.

Gypsy and Traveller Pitches

5.174 The TSNA concludes that for the Plan period to 2035, there is no need for any new pitches for those meeting the planning definition of Gypsies and Travellers. When considering the wider definition there is an identified need for six additional pitches (although since the base date of the assessment, an additional private family site has been granted planning permission which accommodates two Gypsy and Traveller households). However as a result of the very limited need, the relatively high vacancy rate and turnover on sites and the modest waiting list, there is no substantial or immediate need for the Plan to identify any additional pitches for those meeting the wider definition. Furthermore, if more pitches were required, it should be noted that of the 126 social pitches managed by the council, 101 are double pitches capable of accommodating two households but most are currently only occupied by single households.

Travelling Showpeople

5.175 There are three sites for Travelling Showpeople in the county at Coxhoe, Tudhoe and Thornley. Travelling Showpeople have specific requirements which include the need for good access to the road network to travel to fairs and shows, along with space within sites to store and maintain equipment.

5.176 An assessment of the need for new plots and sites for Travelling Showpeople has been carried out in the Travellers Site Needs Assessment, based on earlier fieldwork. This concluded that no new plots and sites will be needed for Travelling Showpeople.

Future Planning Applications

5.177 Applications for new private sites and extensions to existing sites will be assessed in relation to the criteria in this policy. The social requirements of Traveller families are, of course, the same as any other family. The Travellers Site Needs Assessment also suggests that Gypsy and Traveller families have larger families than average. Like everyone else, Travellers require good access to shops, education, health and other social facilities. All private caravan sites are also statutorily required to be licensed under the Caravan Sites and Control of Development Act, if planning permission is granted.

5.178 In addition to this policy, proposals for new sites and pitches will be subject to other policies in the Plan in the same way as any other type of development, including for example flood risk which would possibly impact on the expansion of four of the six existing sites.

How will the Policy be monitored?

Indicator:

1. Net additional Gypsy and Traveller pitches approved and completed by type and meeting the 2015 planning definition.
2. Net additional Gypsy and Traveller pitches approved and completed by type and meeting the wider 2012 definition.
3. Net additional Travelling Showpeople pitches approved and completed by type.
4. Status of five year supply of pitches and plots.

Target:

1. No target.
2. Pitches for six Gypsy and Traveller households delivered by 2035.
3. No target.
4. At least a five year supply.

Policy 18 - Children's Homes

Policy 18

Children's Homes

In order to promote the creation of sustainable, inclusive and mixed communities, applications for children's care homes, will only be permitted where:

- a. the applicant is able to demonstrate that the development will address any gaps in service provision to the satisfaction of the Local Planning Authority;
- b. sites offer a positive and safe environment for the occupants of the premises ensuring that there is appropriate access to local services and community facilities;
- c. the size/scale of the children's home will allow the occupants to be appropriately matched with regard for each child's welfare and taking into account their individual circumstances;
- d. the occupants would not be placed at risk having regard to the latest crime and safety statistics in the area and that this has been agreed in advance with Durham Constabulary, the council's Children and Young People's Services and other appropriate agencies;
- e. it is unlikely to cause unacceptable individual or cumulative impact on residential amenity, fear of crime or community cohesion;
- f. appropriate measures will be in place to ensure access for emergency vehicles and safety measures such as fire escapes; and
- g. satisfactory outside space, highway access, parking and servicing can be achieved.

In all instances, a planning application must be supported by information regarding the management of the residential home, together with an assessment to ensure that necessary safeguards are put in place to ensure the welfare of the children. This will include consideration of any crime or safety concerns in the area, in consultation with Durham Constabulary, Children and Young People's Services and any other appropriate agencies.

5.179 The children and young people living in children's homes are among the most vulnerable in society. Whilst children's homes have traditionally been for children under 16, provision for young people beyond the age of 16 years old would also be determined against this policy or Policy 15 (Addressing Housing Needs). Many have special educational needs or disabilities, including social, educational and mental health difficulties and many are victims of abuse or neglect. It is therefore vital that we do everything possible to provide consistent high quality provision for children and young people to improve their experience of being looked after in care, helping them to overcome their previous experiences, and setting them up for futures which allow them to achieve their potential.

5.180 We recognise that living in a children's home can be a positive choice for some young people and the best way to meet their specific circumstances. The Independent Review of Children's Residential Care, by Sir Martin Narey (2016) suggested that whilst location is important when placing a child in residential care, the goal is to have the right homes. The council has a duty, as stated in section 22G of the Children's Act 1989, to take steps to secure, as far as reasonably practicable,

sufficient accommodation for looked-after children within their local authority area. The Sufficiency Statutory Guidance on Securing Sufficient Accommodation for Looked After Children (2010) states that local authorities should have embedded plans, as part of their commissioning processes and through partnership working, to meet the duty, enabling children to be close to home and their family.

5.181 The council's Sufficiency Strategy 2019 has identified that there are gaps in service provision. It is important that these gaps in service provision are met, in order to make sustainable provision for the differing requirements of looked-after children and young people.

5.182 In order to understand the issues surrounding supply and demand and to get a national picture of the needs of the children placed on welfare grounds, Government set up a National Coordination Unit in May 2016. With the data gathered by the unit, the Government is developing options for how secure places can be better planned, co-ordinated and joined up at national level, to better meet the needs of young people needing secure accommodation.

5.183 Within County Durham, there are currently 44 registered providers, 27 of which are registered children's homes, which is the largest number in the north of England (Ofsted data). In order to ensure that any further provision is well managed and the needs of children are being met by offering safe and positive environments, early discussions will be required between Children and Young People's Services, Planning Services and other external agencies as appropriate, including Durham Constabulary.

5.184 The national average size of a children's home is 3-4 bed, this is also the average for the North East Region. Matching children and young people in residential provision, and their individual circumstances, presents an ongoing challenge. There is therefore a greater demand for smaller regulated homes. This is identified in the council's Sufficiency Strategy 2019 which also identifies that there is a significant gap in the market for solo residential provision/smaller residential homes.

5.185 In support of any planning application, evidence will need to be provided that the needs of children and young people will be met in terms of access to any services and facilities and to ensure that any necessary safeguards are put in place, including having had regard to any crime or safety concerns of the particular area. This should be undertaken through consultation with relevant organisations including Durham Constabulary and Children and Young People's Services and will be required to also take into account the cumulative impact of any similar establishments in the locality and the impact this could have on emergency services.

5.186 In addition consideration must also be given to the existing residents in terms of residential amenity. Any proposals must demonstrate that there will be no unacceptable impact on the character of the area and the proposal would not impact on the quality of life or community cohesion by way of fear of crime.

How will the policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 19 - Type and Mix of Housing

Policy 19

Type and Mix of Housing

On all new housing developments the council will seek to secure an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations and the opportunity to facilitate self build or custom build schemes.

5.187 The county has an imbalanced housing stock in relation to type and mix, with for example a higher proportion of terraced housing compared with the national average. This is largely a result of its industrial legacy. The council has started to improve its economy and to maximise the opportunities for growth across the county. In order to support these economic ambitions and expectations of residents, we need a complementary housing offer with better homes in the right locations. Our housing need therefore goes beyond increasing the supply of housing and this has been reflected as far as possible in the spatial strategy underpinning the Plan.

5.188 There are parts of County Durham, particularly in the east and south of the county, that are associated with low demand for housing. In such instances it will be important to ensure that development does not perpetuate low demand, for example through the delivery of only entry-level properties. We therefore need to ensure an appropriate choice and mix to meet the requirements of a range of household sizes, ages and incomes.

5.189 The Strategic Housing Market Assessment (SHMA) provides information on the current dwelling stock profile and household preferences. Requirements in Policy 15 (Addressing Housing Need) for affordable housing and for housing which increases the options of older people are informed by this assessment, along with the viability assessment for the Plan. Additional data in the SHMA can help to inform an appropriate mix of dwelling types and sizes on all new housing developments although developers can provide additional supporting information if they wish. Wherever possible, new development should seek to address these preferences. However it is likely that flexibility on the housing composition of schemes will be required in some circumstances, for example on some smaller sites where it may be impractical. Flexibility may also be required where there are specific physical site constraints or where there may be market demand or viability issues.

Self-Build and Custom-Build

5.190 Planning guidance advises that self-build or custom-build is where the initial owner has primary input into the final design and layout of their own home. The level of input can vary considerably, from hands on building of all or parts of a home to commissioning professionals to manage the building process.

5.191 The UK has much lower rates of self and custom building than other European countries. National figures suggest the sector currently accounts for between 7-10% of completions, compared to around 80% in Austria and 60% in France. The government has introduced a number of measures to support the self and custom-build sector and remove barriers which prevent people from building or commissioning their own home. This includes supporting a portal to act as a one stop shop for advice managed by the National and Custom and Self-Build Association (Nacsba)⁽⁶⁴⁾.

64 [Self Build Portal](#).

5.192 The Government also requires councils to establish demand for self and custom-build and to ensure that there is the opportunity for this demand to be met. As part of our statutory obligations⁽⁶⁵⁾ we have established a register for those with an interest in purchasing a serviced plot which we will have regard to when carrying out our functions in relation to housing, planning, land disposal and regeneration⁽⁶⁶⁾.

5.193 We also have a statutory obligation to grant sufficient planning permissions to match the level of demand for serviced plots for self/custom-build which is evident from our register. These must be capable of providing serviced plots within the lifetime of the permission. At the present time there are 51 people on the self-build register, with a number of planning permissions in place to more than meet this requirement equating to around 68 plots across various sites around the county. There are also further opportunities currently being pursued to provide self-build plots across a number of council owned sites.

How will the Policy be monitored?

Indicator:

1. Housing units approved and completed by dwelling type and size.
2. Numbers on the self and custom-build register.
3. Numbers of planning permissions granted which are capable of delivering serviced plots.

Target:

1. No Target.
2. No Target.
3. More or equivalent planning permissions granted which are capable of delivering serviced plots than numbers on the self and custom build register.

65 The Self-Build and Custom House building Act 2015; The Self-build and Custom Housebuilding Regulations 2016; The Self-build and Custom-Build (Time for Compliance and Fees Regulations 2016.

66 [Self-Build Register](#).

Protecting Green Belt Land

5.194 Great importance is attached to our Green Belt, which covers a total land area of 8,591 hectares. The Green Belt's essential characteristic is to prevent urban sprawl by keeping land permanently open. The National Planning Policy Framework (NPPF) sets out the five purposes of a Green Belt:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.195 The county's Green Belt was designated in three distinct areas and for different purposes as set out below. There was also an additional area in the north west of the county which was proposed as Green Belt to the north of Consett and Stanley but this was never designated in the Derwentside Local Plan.

City of Durham Green Belt

5.196 The Green Belt surrounds Durham City, extends to the east of Bearpark and then southwards towards Croxdale and then northeastwards to Sherburn and West Rainton. Whilst the boundaries of the Green Belt were only formerly adopted in the City of Durham Local Plan in 2004, its history spans to 1955 when the proposals were first introduced. The proposals were rejected in 1968 and instead it was suggested that the city would be best served by an Area of High Landscape Value.

5.197 Durham City now has a fully encompassing Green Belt which was designated in the Durham County Structure Plan Review (1999) with boundaries identified in the City of Durham Local Plan (2004). The Durham City Green Belt largely aligns with an Area of High Landscape Value (designated in the County Durham Structure Plan 1968) which extended to the south-east, south and west of the city. The exception is the Green Belt designation to the north and north-west of the city. The original purpose of the Durham City Green Belt, as referenced in the City of Durham Local Plan, was 'to preserve the setting and special character by preventing unplanned outward expansion of the city and coalescence with the surrounding villages'. The development strategy in the 2004 Durham City Local Plan is also reflected stating that 'the most appropriate location for new development in the District, if it cannot be accommodated within Durham City, is in the larger villages outside the Green Belt which are readily accessible to the city'.

North East Durham Green Belt

5.198 The Green Belt is located to the north of Seaham and forms a strategic gap between Seaham and Ryhope in the south of neighbouring authority, Sunderland. The Green Belt extends between Lord Byron's Walk and Ryhope Dene and includes land to the west of Tuthill Quarry to Ryhope railway adjacent to Seaton Village and to the north of the B1404 towards the administrative boundary.

5.199 The North East Durham Green Belt was designated in the County Durham Structure Plan review (1999) with boundaries established in 2001 through the Easington Local Plan (adopted 2001). The purpose was to check the unrestricted sprawl of the Tyne and Wear conurbation, to prevent settlements merging and to encourage urban regeneration.

North Durham Green Belt

5.200 The North Durham Green Belt reaches around Chester-le-Street and along the north of the A693, encircles Urpeth and Ouston and then eastwards towards Tyneside. The Green Belt seeks to prevent coalescence of Perkinsville, Pelton, Beamish, High Handenhold, Kibblesworth and Birtley and maintains the open countryside between Chester-le-Street and Pelton. To the east, the Green Belt maintains open countryside between Shiney Row, Washington (Fatfield, Harraton and Rickleton), Bournmoor and Fencehouses.

5.201 The North Durham Green Belt was designated in the County Structure Plan Review (1999) with boundaries established in 2003 through the Chester-le-Street Local Plan. The North Durham Green Belt aims to check the unrestricted sprawl of the Tyne and Wear conurbation, to prevent settlements within the area from merging and to encourage urban regeneration.

Proposal for New Areas of Green Belt

5.202 The NPPF is clear that the general extent of Green Belts across the country is already established and areas of new Green Belt should only be established in exceptional circumstances. A number of proposals have been put forward, however none of the proposals have successfully demonstrated why normal planning and development management policies would not be adequate; what major changes in circumstances have occurred; what the consequences of the proposal would be for sustainable development; the necessity of the Green Belt and its consistency with other strategic plans for adjoining areas; or how the proposed Green Belt would meet the other objectives of the NPPF.

Policy 20 - Green Belt

Policy 20

Green Belt

Development proposals within the Green Belt will be determined in accordance with national planning policy.

5.203 There is a presumption against inappropriate development in the Green Belt unless very special circumstances can be demonstrated. The National Planning Policy Framework (NPPF) sets out a number of exceptions: buildings for agriculture and forestry; appropriate facilities for outdoor sport, outdoor recreation and for cemeteries; proportionate extensions or alterations of a building; replacement buildings which are not materially larger; limited infilling and limited affordable housing for community needs and partial or complete redevelopment of previously developed land which do not have a greater impact on openness. The NPPF also sets out other forms of development which may not be inappropriate in the Green Belt including: mineral extraction; engineering operations and transport infrastructure.

5.204 When located in the Green Belt, elements of many renewable energy projects will comprise inappropriate development. In such cases developers will need to demonstrate very special circumstances if projects are to proceed. Such very special circumstances may include the wider environmental benefits associated with increased production of energy from renewable sources.

5.205 There are a number of longstanding uses which already exist within the Green Belt including sewage treatment works and institutional uses. These sites remain within the Green Belt and have been washed over. There may be opportunities for limited infilling or redevelopment of these existing uses on the previously developed footprint providing that the proposal has no greater impact on openness or the purpose of including land within it.

How will the Policy be monitored?

Indicator:

1. Number of planning applications and type of development approved in the Green Belt contrary to this Policy.

Target:

1. No planning applications approved in the Green Belt contrary to this Policy.

Sustainable Transport

5.206 The council is committed to delivering a high quality integrated and sustainable transport network which supports our aspirations for a strong economy, a vibrant tourism offer and improved quality of life for all of our residents, including reducing air pollution and emissions of CO₂. The county's dispersed settlement pattern does however create specific transport issues that need to be addressed. As the majority of its residents do not live, work, shop or spend recreational time all in one place, the location of housing, employment, education, health, retail and leisure facilities can therefore have a significant impact on patterns of travel and accessibility, particularly for those without a car. The provision of public transport is also sometimes difficult to plan for and is often reliant on subsidies, especially in rural parts of the county where it is recognised that there is a greater reliance on the private car.

5.207 Whilst the planning system cannot directly change people's travel behaviour, it can influence the delivery of more sustainable transport choices by seeking to put new development in locations which minimise the distance and time of journeys, making the best use of existing public transport hubs and the highways network, while delivering new sustainable transport choices. It is also important that we maximise opportunities to access sustainable forms of transport for residents of both existing and new developments. Therefore, the design of new development should proactively seek to provide opportunities for the integration of walking, cycling and public transport as well as encouraging car sharing and electric vehicles. It should also encourage efficient and sustainable growth of freight and minimise the number of road journeys created by business and industry.

Walking and Cycling

5.208 In addition to our local cycling and footpath networks, there are long distance routes, including the nationally protected Pennine Way and C2C (Coast to Coast) and the regionally significant Teesdale Way, Weardale Way and Heritage Coastal Path which make a significant contribution to the network, encouraging and enabling walking and cycling for recreation and travel. Many of the county's important paths are designated as Public Rights of Way and Railway Paths and any potential impact upon these paths will need to be considered in accordance with Policy 26 (Green Infrastructure) and have regard to the Walk, Ride, Cycle, Rights of Way Improvement Plan for County Durham 2015-2018⁽⁶⁷⁾.

Public Transport

5.209 Bus travel is by far the most used form of public transport in County Durham. A dispersed settlement pattern, low car ownership and an ageing population are all reasons why bus services are so important. Bus services in rural areas are often a lifeline to smaller communities and the council will work with operators to ensure that services are supported in rural areas. Smart ticketing, integration, promotions and real-time information have a major role to play in making public transport more attractive.

5.210 The railway network connects a number of settlements in the county with major centres in the Tyne and Wear and Tees Valley conurbations, but rail as a mode only accounts for 6% of the total public transport journeys in the county. Rail is still vital for the economy though, with services on the East Coast Main Line (ECML) linking Edinburgh and London, and stopping in Durham City and Chester-le-Street, and is therefore a major asset for County Durham. There are also a number of opportunities for improving the rail network in the county including the reinstatement of the Leamside Line.

67 [Walk, ride, Cycle, Rights of Way Improvement Plan for County Durham \(2015-2018\)](#).

5.211 There is evidence that both the ECML⁽⁶⁸⁾ and parts of the A1(M), particularly the Gateshead Western Bypass, are running at or above capacity. The reinstatement of the Leamside Line would provide additional capacity and relieve the existing two track railway between Darlington and Newcastle. The Leamside Line could help enable a more regular rail service from Chester-le-Street and Durham City to York and Newcastle on the ECML as well as making the ECML HS2 ready. On a reinstated Leamside Line, new services and stations could be provided for passengers and additional capacity would be created for more freight to be transported in and out of the county without delaying trains on the ECML.

5.212 The new station at Horden (Peterlee) will improve access for passengers on the Durham Coast Line. It will connect areas of high population with areas of employment (such as the Tees Valley and Tyne and Wear conurbations) as well as making East Durham more attractive for inward investment.

5.213 Although not included in the Plan there is also potential the Tyne and Wear Metro could extend into County Durham in the longer term with an extension. The Metro and Local Rail Strategy⁽⁶⁹⁾ expresses an interest in extending the service southwards on the Durham Coast Line, to Seaham and to the new station at Horden. The extension would be dependent on the electrification of the Durham Coast Line and compatibility with existing passenger and freight services. The Strategy also suggests possible Metro or Local Rail connections to Chester-le-Street and Durham City.

Freight

5.214 The ability of business to transport goods and raw materials is essential to the efficient functioning of the economy. The council will support the efficient growth of road freight by allocating manufacturing, storage and retail premises in the right locations and via its role on the North East Freight Partnership.

5.215 There are currently no inter-modal freight terminals or major rail freight generators in the county. The North East is the only region in the UK that is a net exporter of manufacturing goods while ports such as Teesport and Port of Tyne have grown significantly. It is important that the county capitalises on this growth in freight and the opportunity that it presents to improve the distribution network. There may be an opportunity at Newton Aycliffe (Forrest Park) to provide sites for an inland rail freight interchanges that would potentially serve the wider North East.

Policy 21 - Delivering Sustainable Transport

Policy 21

Delivering Sustainable Transport

The transport implications of development must be addressed as part of any planning application, where relevant this could include through Transport Assessments, Transport Statements and Travel Plans. All development⁽⁷⁰⁾ shall deliver sustainable transport by:

- a. delivering, accommodating and facilitating investment in safe sustainable modes of transport in the following order of priority: those with mobility issues or disabilities, walking, cycling, bus and rail transport, car sharing and alternative fuel vehicles;

68 ECML Capacity Review December 2010.

69 [Metro and Local Rail Strategy](#).

70 Mineral extraction, waste management and householder extensions excluded.

- b. providing appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users;
- c. ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestion or air pollution and that severe congestion can be overcome by appropriate transport improvements;
- d. ensuring the creation of new or improvements to existing routes and facilities do not cause unacceptable harm to the natural, built or historic environment; and
- e. developments in the vicinity of level crossings (both vehicular and pedestrian) will be expected to assess the potential increase in risk at each crossing affected and indicate the appropriate mitigation required to reduce or remove such risks.

All development should have regard to the policies set out in the County Durham's Strategic Cycling and Walking Delivery Plan and, where possible, contribute to the development of a safe strategic cycling and walking network and in particular the routes set out in Local Cycling and Walking Infrastructure Plans.

The following principles will be used to determine cycle and parking provision in development:

- cycle parking or secure cycle storage should be provided to facilitate increased cycle ownership and use;
- car parking at residential developments should ensure that a sufficient level is provided for both occupants and visitors, to minimise potential harm to amenity from footway parking. On street and footway parking should be avoided where it would have an unacceptable impact on highway safety, or a severe impact on the road network;
- car parking at destinations should be limited to encourage the use of sustainable modes of transport, having regard to the accessibility of the development by walking, cycling, and public transport; and
- appropriate provision for electric vehicle charging, including charge points and laying of cables, should be made on both residential and non-residential development where parking is provided.

The council is preparing a Parking and Accessibility Supplementary Planning Document that reflects the principles set out above. Developments should have regard to the Parking and Accessibility Supplementary Planning Document following adoption by the council.

5.216 Whilst the Plan cannot directly change people's travel behaviour, it can help provide more sustainable transport choices. It is crucial therefore that the council, developers and other stakeholders deliver sustainable transport choices as development sites come forward via the planning system. This can often be done through transport assessments, transport statements and travel plans.

5.217 Transport assessments should reflect the scale of the development and the extent of the transport implications of the proposal and should illustrate accessibility to the site by all modes of transport, and the likely modal split of journeys to and from the site. It should also give details of proposed measures to improve access by sustainable modes in order to reduce the need for car parking which would otherwise be generated by the proposal and to mitigate transport impacts. Where appropriate, proximity and access to rail services and impact on nearby level crossings should also be included. For smaller schemes the transport aspects of the application can be set out in a transport statement.

5.218 Sustainable modes of travel such as walking, cycling, public transport, car sharing and alternative fuel vehicles can be provided through travel planning as well as good design. Travel plans seek to change travel behaviour and recent evaluation work has shown that they can, with the right level of commitment from all partners, achieve significant value for money, with benefits outweighing costs by up to 13:1⁽⁷¹⁾. Crucially, mode shift benefits include a reduction in congestion on both local and national roads and reducing unacceptable air pollution as well as a reduction in carbon emissions. Travel plans should also include measures to encourage alternatives to car based travel, such as providing changing facilities, showers and cycle parking and storage in new office developments to encourage active travel.

5.219 Access to sustainable forms of transport must be integrated into the design of new developments. All future development should be planned to maximise opportunities for travelling according to the following priority: those with mobility issues or disabilities; walking; cycling; public transport; car sharing; and alternative fuel vehicles. It is important that all users are considered when designing new transport infrastructure. Priority must go to those with mobility impairments, visual impairments and dementia. All transport journeys include an element of walking, whether it is walking to a bus stop or even walking to a nearby car park. All new developments must include pedestrian and cycle routes which are direct, attractive and convenient and take priority over motor traffic. Walking and cycling routes provided through new developments must be permeable for users and allow greater accessibility to bus stops, existing routes and to nearby local attractors such as education and training facilities, employment sites and shops.

5.220 Cycling provides a major opportunity in the county to reduce reliance on the private car and a well designed, safer and greener network of cycle routes is more likely to succeed in changing behaviour and encourage people to be more active. Recognising the importance of cycling in County Durham, as well as the government's ambition to make cycling and walking a natural choice for shorter journeys, or as part of longer journeys by 2040⁽⁷²⁾, we have set out our ambition for cycling in the County Durham Strategic Cycling and Walking Delivery Plan 2019-29 which will also provide a policy framework for Local Cycling and Walking Infrastructure Plans (LCWIPs).

5.221 LCWIPs are a strategic approach to identifying cycling and walking improvements at the local level which enable a long term approach to planning for cycling and walking. These plans will be created in a number of key areas across County Durham and will detail network plans for walking and cycling which identify preferred routes and core zones for further development as well as a prioritised programme of infrastructure improvements for future investment. Having LCWIPs in place will ensure that consideration is given to cycling and walking in local planning and transport policies and strategies as well as making the case for future funding for walking and cycling infrastructure.

5.222 A wide range of funding will be used to develop the entire cycling and walking network including developer funding of routes on development sites and where necessary off site routes to link to the existing network. Where development abuts or encroaches on a route identified in the

71 [Creating growth, cutting carbon: making sustainable local transport happen.](#)

72 [Cycling and Walking Investment Strategy.](#)

LCWIP, then provision must be made within the planning application to improve, maintain and incorporate the existing route or to provide a new route so that the development proposed does not prejudice the implementation of the strategic walking and cycling network.

5.223 When identifying new development sites the proximity and frequency of bus services is a key consideration. As part of major planning applications, developers should therefore consider the proximity and impact on local bus routes. Where sufficient demand will be generated, developers will be required to make a financial contribution to allow the council and bus operators to work together to improve bus provision for a particular site. Where possible, bus routes should penetrate new development sites through permeable routes and bus priority measures should be considered.

5.224 It is important that developments that have the potential to impact upon level crossing safety fully assess the impacts of their proposals upon the safety of the level crossings and their users. Where additional impacts or risk is identified it is appropriate that the developer should provide suitable mitigation to reduce or remove any additional risk imported by the development as proportionate to the level of risk and impacts generated by the development.

Mitigating Travel Impacts

5.225 Where the measures outlined in a travel plan or the design of a scheme are insufficient to fully mitigate the impact of increased vehicular trip generation on the local highway network, off-site transport infrastructure improvements will be required. For example, a contribution could be made to improve the local bus service or to provide additional capacity on the highway network.

5.226 By working with bus and rail operators, the council will seek to encourage operators to provide transport that is as reliable, affordable and as simple to use as possible. We will also encourage operators to consider the impact of proposed development in their future investment plans through work on the Infrastructure Delivery Plan.

Parking and Accessibility Supplementary Planning Document

5.227 All new developments must provide car and cycle parking. The council is preparing a Parking and Accessibility Supplementary Planning Document (SPD) based on the principles of this policy. These principles do not seek to minimise car parking at origin but rather focus on limiting car parking supply at non-residential destination. The SPD will set out car parking standards for residential development, maximum car parking standards for other forms of development where there is a clear and compelling justification, minimum standards for cycle parking, powered two-wheelers, disabled parking and associated design guidance.

5.228 It is very important that we plan to enable the adoption of alternative fuel vehicles and also actively discourage the number and frequency of single occupancy car journeys through the provision of charging infrastructure for electric vehicles and car sharing bays. Electric vehicle charging infrastructure and car sharing bays will be required in the Parking and Accessibility SPD. We will also support taxi and bus operators to switch to alternative fuel vehicles by identifying and helping with suitable funding opportunities.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 22 - Durham City Sustainable Transport**Policy 22****Durham City Sustainable Transport**

In order to reduce the dominance of car traffic, address air quality and improve the historic environment, the council proposes to deliver the following transport interventions in Durham City:

Demand Management

Encourage modal shift to more sustainable modes of transport by promoting and influencing changes in travel behaviour including:

- marketing and promotion programmes;
- employer travel plans;
- school travel plans; and
- residential travel plans.

Sustainable Transport Improvements

To help reduce through-traffic from Durham city centre, sustainable transport modes will be encouraged, including through:

- a. improvements to existing city centre transport infrastructure;
- b. walking and cycling improvements linking the University to the city centre;
- c. walking, cycling and public transport improvements linking Aykley Heads, Sniperley, Framwellgate Moor, Newton Hall and the city centre; and
- d. walking, cycling and public transport improvements linking Gilesgate, Dragonville, Carrville, Belmont and the city centre.

5.229 In order to create a more sustainable transport network in Durham City there is a need for a positive strategy that manages the demand for car use by creating highway space for sustainable transport modes. This policy aims to deliver this positive strategy and, in conjunction with the Durham City Air Quality Management Action Plan, seeks to reduce air pollution in the city centre.

5.230 The large volumes of slow moving and standing traffic make the city less attractive to visit and has an adverse impact on the environment of the city centre and the setting of the World Heritage Site. The amount of traffic also acts as a barrier to walking and cycling routes, discouraging sustainable travel. It also impacts on the health of local people, with heavy traffic creating local air quality and road safety issues. In particular nitrogen dioxide levels in the city centre have exceeded statutory limits and as a result an Air Quality Management Area (AQMA) has been designated.

Durham City Sustainable Transport Delivery Plan

5.231 The Durham City Sustainable Transport Delivery Plan (DCSTDP)⁽⁷³⁾ sets out an ambitious and positive vision for the entire transport network across the city and has been developed in partnership with the city's key stakeholders after a series of targeted events and consultations. The DCSTDP sets out how modal shift can be practically achieved in the city by identifying packages of demand management and infrastructure improvements to reduce traffic. Its key proposals are also included in the Infrastructure Delivery Plan (IDP).

Demand Management

5.232 Demand management is about managing the demand for cars by influencing travel behaviour so residents travel in a more sustainable way. It can be delivered more quickly than infrastructure improvements that require greater levels of design and consultation. The DCSTDP sets out four core activities relating to demand management:

- marketing and promotion programmes, providing comprehensive information about all sustainable travel options to encourage the uptake of sustainable modes;
- employer travel planning, where major employers set out how they will reduce car use and promote sustainable travel by their employees;
- school travel planning, school children are particularly receptive to environmental messages and enthusiastic about sustainable and active travel modes; and
- residential travel planning, particularly relating the new developments proposed in the Plan.

Sustainable Transport Improvements

5.233 By implementing the proposals set out in the policy a more sustainable transport network in the city can be achieved by improving sustainable transport infrastructure. It is important that all users are considered when designing new transport infrastructure. Priority must go to those with mobility impairments, visual impairments and dementia. Further detail on these projects is included in the DCSTDP. It should also be noted that these individual schemes will require more detailed work such as feasibility studies, public and business consultation and the identification of funding, to be completed before they can be fully implemented.

A167 Congestion

5.234 Traffic modelling shows that the A167 is currently the most congested part of the transport network in both the AM and PM peaks. The traffic on the A167 creates a barrier for traffic when entering or leaving the city at peak times with significant bottlenecks especially where the A690 and A691 join the A167 in the west of the city at the Neville's Cross Junction and Sniperley Roundabout. The modelling predicts that congestion on the network will increase both as a result of predicted national increases in traffic and more localised increases as a result of proposed new development.

73 [Durham City Sustainable Transport Delivery Plan](#) (2018).

Therefore to relieve congestion and to enable development to the west and north of the city to come forward a solution is required. This will need to be addressed at the planning application stage for the relevant sites and in particular Sniperley Park.

How will the Policy be monitored?

Indicator:

1. Percentage of employees in Durham City walking or cycling to work.
2. Percentage of pupils walking, cycling or using public transport to school.
3. Accessibility of Durham City Centre, Aykley Head Strategic Employment Site and retail district centres as employment centres (access within one hour and by 08:30 by public transport) from County Durham.
4. Level of nitrogen dioxide at Durham Air Quality Management Area.
5. Level of traffic in Durham City including the amount crossing Milburngate Bridge and using the A167.

Target:

1. Increasing trend above the baseline figure.
2. Increasing trend above the baseline figure.
3. Increased accessibility by public transport to Durham City employment and retail centres from baseline figure.
4. Reduction of levels nitrogen dioxide in AQMA year on year.
5. Decreasing trend below baseline figure.

Policy 23 - Allocating and Safeguarding Transport Routes and Facilities

Policy 23

Allocating and Safeguarding Transport Routes and Facilities

The following transport routes and facilities, as shown on the policies map, are safeguarded:

- a. The Leamside Line and associated infrastructure; and
- b. Bowburn Industrial Estate Access Road.

Development that would prevent the future development of the allocated and safeguarded transport routes and facilities will not be permitted.

The Leamside Line

5.235 The reinstatement of the Leamside Line and better rail links to Tyne and Wear received popular support from residents during consultation. The Leamside Line is a major opportunity to improve rail services and cross boundary links into the major conurbations north and south of County Durham. It runs for 34 kilometres from Tursdale Junction near Ferryhill to Pelaw in Gateshead via the east side of Durham City and to the east of Washington. The line was 'mothballed' in 1992 when the East Coast Mainline (ECML) was electrified and re-signalled as it was believed at that time that the ECML would be sufficient for forecasted demand. However since 1992, rail patronage has accelerated beyond forecasts and there is evidence that the ECML⁽⁷⁴⁾ is now running at or above capacity. There is therefore a growing momentum from businesses (represented by the North East Local Enterprise Partnership), key government transport agencies, politicians and local authorities to re-open the Leamside Line in order to facilitate HS2 and Northern Powerhouse Rail.

5.236 The reinstatement of the Leamside Line would be a regionally important piece of transport infrastructure which would provide additional capacity and could provide a number of potential new stations for example at Ferryhill, Belmont Park and Ride and Fencehouses. It would also improve transport accessibility across the region and provide opportunities for modal switch, including reducing pressure on the A1(M) Gateshead Western Bypass, with the associated environmental benefits this would bring. It would also have the added benefit of providing extra capacity for more freight to be transported in and out of the county and could also help support a possible new rail freight interchange at the Forrest Park employment site.

5.237 Since the last services were withdrawn the council has sought to preserve the corridor of the line but unfortunately the track has now been removed and the signalling and embankments have deteriorated to the point where the most recent estimated reinstatement costs are believed to be above £300 million⁽⁷⁵⁾. This is a major barrier to the reopening of the line. As a result we are safeguarding the route of the Leamside Line rather than allocating it as there is currently too much uncertainty over how the reopening will be funded.

5.238 In addition to ongoing work on Leamside, the council participates in the East Coast Main Line Authorities (ECMA) group to lobby for investment in the ECML corridor and contributes to work on HS2 to ensure the county retains an appropriate mix and level of service for the existing stations located on the ECML.

Bowburn Industrial Estate Access Road

5.239 The proposal to protect a corridor for a future Bowburn Industrial Estate Access Road has been accepted for a number of years. It has previously been suggested that such a road would serve both current and planned development in the area and potentially offer a modest reduction in the amount of traffic using the A177. It has also been suggested that this corridor should be promoted as an industrial access road however given the fact that such a route would only be attractive to a relatively modest proportion of traffic using the A177 and offers no time savings, a need for a new road cannot currently be established.

5.240 However the proposals at Integra 61 will bring forward significant new industrial and housing development. Some of the associated traffic generated from the development could potentially avoid using part the A177 through Bowburn if a highway connection were provided along the line of the previously protected corridor. As this development is built out the impact of the associated additional traffic will monitored and it maybe that at some point in the future an industrial estate access road

74 [ECML Route Study](#) (2018).

75 A feasibility study would be needed to estimate up to date reinstatement costs.

will be required. In order to ensure that the option of providing this road remains, the Plan will safeguard the proposed route on the policies map. The layout of the scheme at Integra 61 that received planning permission does include a stretch of road which would link to the new access road if it is required.

Darlington Northern Relief Road

5.241 We are also aware of an emerging proposal for a new road to the north of Darlington linking the A167 junction on the A1(M) to the A66. This could have potential benefits to County Durham as a result of improved links to Teesport. Although the majority of this link will be located in Darlington Borough, a small part of the route - specifically the link to the A1 junction - will be in County Durham. We will therefore continue to monitor progress and will safeguard the relevant part of the route in the Plan when more information is available.

Other Schemes

5.242 A number of other schemes have been considered for inclusion in this policy however for various reasons including the limited benefits that would result, they have not been included at this time. These schemes will be reconsidered as part of future reviews of the Plan. This is particularly relevant to the proposed East Durham Link Road which would improve east-west links in the county and into Sunderland City Council's administrative area. However the part of the route in Sunderland's area has not been included in their current local plan and therefore if it was included in our Plan it would be impossible to complete. If Sunderland were to include it in a future version of their local plan, then this position would be revisited.

How will the Policy be monitored?

Indicator:

1. Number of planning applications approved within the safeguarded areas which would prevent development of the routes and facilities.

Target:

1. No applications approved.

Policy 24 - Provision of Transport Infrastructure

Policy 24

Provision of Transport Infrastructure

New and improved transport infrastructure will be permitted where it meets all of the following criteria:

- a. is necessary to improve the existing highway network and/or public transport infrastructure;

- b. minimises and mitigates any harmful impact upon the built, historic and natural environment and the amenity of local communities including by incorporating green infrastructure; and
- c. makes safe and proper provision for all users which prioritises the movement of pedestrians, cyclists and public transport.

Transport infrastructure proposals should also meet at least one of the following criteria:

- d. supports economic growth;
- e. enhances connectivity either within the county or with other parts of the region; or
- f. accommodates future development sites.

5.243 Transport infrastructure improvements can be critical to the delivery of development. They can support economic growth, sustainable transport and regeneration, whilst helping to improve connectivity between the county and adjoining areas within the North East and beyond. Funding or developers contributions will be sought as appropriate to support the delivery of key transport infrastructure improvements. While all transport schemes will have to conform to other relevant Plan policies, new highway schemes and other transport infrastructure will have to specifically conform to the criteria of this policy.

5.244 The safe efficient and free flowing movement of vehicles and people across the entire highway network can help achieve the council's ambition of improving the economy as well as being essential in the move towards sustainable local communities. It is important that all users are considered when designing new transport infrastructure including those with mobility impairment, visual impairment, dementia and other forms of mental illness. Proposals for improvements to the highway network and other transport infrastructure will be supported, where it can be demonstrated to be necessary in the absence of suitable transport alternatives and where they are viable and increase economic prosperity. New roads must be justified in accordance with the criteria set out above and should be routed and/or designed in such a way that they are assimilated into their surroundings with minimum disturbance to the built, historic and natural environment.

How will the Policy be monitored?

Indicator:

1. Number of major transport infrastructure schemes identified in the Infrastructure Delivery Plan that have been approved and completed.

Target:

1. No Target.

Supporting High Quality Infrastructure

5.245 Infrastructure can take many forms:

- physical, such as roads, utilities and energy supply networks;
- social, such as community buildings, education, health facilities, sport and recreation and employment or training opportunities; and
- environmental, such as heritage assets, areas for wildlife and green infrastructure.

5.246 We have worked with statutory undertakers, utility companies and other agencies to identify the need for new infrastructure. If additional infrastructure is not delivered alongside new development, it can put pressure on existing facilities that may not have the ability or capacity to cope with the additional demand. This may have a detrimental impact on the existing population.

5.247 The provision of infrastructure is managed by a wide range of organisations, not just the council. The Plan, together with an Infrastructure Delivery Plan, will play a key role in securing private sector involvement in infrastructure delivery, and in aligning the programmes of the various providers.

Policy 25 - Developer Contributions

Policy 25

Developer Contributions

New development will be approved where any mitigation necessary to make the development acceptable in planning terms is secured through appropriate planning conditions or planning obligations. Such mitigation will relate to the provision, and/or improvement, of physical, social and environmental infrastructure taking into account the nature of the proposal and identified local or strategic needs.

Planning Conditions

Planning conditions will be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Planning Obligations

Developers will be required to enter into Planning Obligations which are directly related to the development and fairly and reasonably related in scale and kind to the development, in order to secure the mitigation that is necessary for a development to be acceptable in planning terms.

Planning applications which do not propose policy compliant levels of affordable housing and/or obligations necessary to mitigate the impact of development will need to be supported by a robust viability assessment. Any viability assessment accompanying a planning application should refer back to the assessment that informed the Plan and provide evidence of what has changed since then.

In order to ensure that the mitigation and any associated benefits of a scheme are secured and sustainable development achieved, review mechanisms and/or an overage payment clauses may be built into Planning Obligations to ensure that contributions can be periodically reviewed to reflect any changes in circumstances or market conditions seeking to ensure that where market conditions have improved, the scheme can deliver all requirements in full.

5.248 It is important to ensure that development proposals contribute to improvements in infrastructure capacity to mitigate for the additional demands that new development creates. By securing financial contributions through planning obligations, developers would help fund the physical, social and environmental infrastructure that is needed to make development acceptable and ensure that the development mitigates its impact upon existing infrastructure. The National Planning Policy Framework (NPPF) makes clear however that any planning obligation must be directly and fairly and reasonably related to the development. In some cases, this may include improvements to infrastructure off-site. To provide certainty, known infrastructure requirements and associated developer contributions will be set out at the pre-application stage and therefore early discussions are encouraged.

5.249 Where there are site specific infrastructure requirements, without which a development should not be granted planning permission, either these will be secured via a planning condition or through a planning obligation. These are negotiated on a site by site basis. Any conditions need to be relevant to planning and to the development to be permitted, as well as being enforceable, precise and reasonable in all other respects.

5.250 Where the viability of a scheme is in question, the developer will be required to demonstrate that this is the case through a site-specific viability appraisal. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Where a viability assessment is submitted to accompany a planning application (it will be published alongside other publicly accessible planning application information on the council's website) this should be based upon and refer back to the viability assessment that informed the Plan, and it will be for an applicant to demonstrate with appropriate evidence any change in circumstances in the intervening period. Such circumstances could include, for example where development is proposed on unallocated sites of a wholly different type to those used in viability assessment that informed the Plan; where further information on infrastructure or site costs (including higher abnormal costs) is required; where particular types of development are proposed which may significantly vary from standard models of development for sale (for example build to rent or housing for older people); or where a recession or similar significant economic changes have occurred since the Plan was brought into force.

5.251 Where it is established on the basis of the viability appraisal that policy requirements are not able to be met when an application is decided, the council will require an upwards only review mechanism to be applied to ensure that the benefits of any subsequent uplift in values or reduction in costs are reflected in affordable housing provision and/or financial contributions. The detailed wording and timing of these review mechanisms will be determined on a case by case basis.

5.252 It is proposed to produce a Supplementary Planning Document relating to 'development viability, affordable housing and financial contributions'. The guidance will set out the council's requirements for the submission of site-specific viability appraisals, and the information and evidence needed to support them, as well as details of the council's policy in relation to infrastructure requirements and associated financial contributions necessary to deliver such infrastructure and mitigate the impact of development.

5.253 There should be no instances where essential site specific infrastructure and mitigation cannot be secured because of viability concerns. However in these situations where the infrastructure is an essential prerequisite to enable the site to be developed, a scheme will be deemed unacceptable in planning terms.

Viability and Plan-Making

5.254 Sustainable development requires careful attention to viability and costs in plan-making and decision taking. The Planning Practice Guidance (PPG) confirms that the role of viability assessments is primarily at the plan-making stage. To ensure a viable and deliverable Plan, a Local Plan Viability Assessment⁽⁷⁶⁾ has tested notional sites across the highest, high, medium and low value areas and also the housing allocations. All development sites are different and as such will have different costs and values associated with their build. Residential schemes have been tested including assumptions around infrastructure and policy requirements such as education, older people, open space and water management.

5.255 It is recognised that there will be some areas of the county where there may not be much new development but where there may be opportunities to invest that may benefit the county as a whole and deliver on countywide strategies such as the Housing Strategy. Therefore the sums received through planning obligations, and in particular those in lieu of affordable housing, should have some flexibility in terms of where they are spent.

How will the Policy be monitored?

Indicator:

1. Amount of money agreed through planning obligations.
2. Amount of money received through planning obligations.
3. Amount of money spent through planning obligations.
4. Number of applications where required contributions have been waived.

Target:

1. No Target.
2. No Target.
3. No Target.
4. No Target.

76 [Local Plan Viability Assessment](#) (2018).

Policy 26 - Green Infrastructure

Policy 26

Green Infrastructure

Development will be expected to maintain and protect, and where appropriate improve, the county's green infrastructure network. This will in turn help to protect and enhance the county's natural capital and ecosystem services. Development proposals should incorporate appropriate Green Infrastructure (GI) that is integrated into the wider network, which maintains and improves biodiversity, landscape character, increases opportunities for healthy living and contributes to healthy ecosystems and climate change objectives.

Loss of provision

Development proposals will not be permitted that would result in the loss of open space or harm to green infrastructure assets unless the benefits of the development clearly outweigh that loss or harm and an assessment has been undertaken which has clearly shown the open space or land to be surplus to requirements. Where valued open spaces or assets are affected, proposals must incorporate suitable mitigation and make appropriate provision of equivalent or greater value in a suitable location. Where appropriate there will be engagement with the local community.

New provision

Development proposals should provide for new green infrastructure both within and, where appropriate, off-site, having regard to priorities identified in the Strategic GI Framework. Proposals should take opportunities to contribute to existing green infrastructure projects in the locality including those identified in the Infrastructure Delivery Plan.

New Green Infrastructure will be required to be appropriate to its context and of robust and practical design, with provision for its long term management and maintenance secured. The council expects the delivery of new green space to make a contribution towards achieving the net gains in biodiversity and coherent ecological networks as required by the National Planning Policy Framework (NPPF).

Proposals for new residential development will be required to make provision for open space to meet the needs of future residents having regard to the standards of open space provision set out in the Open Space Needs Assessment (OSNA). Where it is determined that on-site provision is not appropriate, the council will require financial contributions secured through planning obligations towards the provision of new open space, or the improvement of existing open space elsewhere in the locality.

Public Rights of Way

Development will be expected to maintain or improve the permeability of the built environment and access to the countryside for pedestrians, cyclists and horse riders. Proposals that would result in the loss of, or deterioration in the quality of, existing Public Rights of Way (PROWs) will not be permitted unless equivalent alternative provision of a suitable standard is made. Where diversions are required, new routes should be direct, convenient and attractive, and must not have a detrimental impact on environmental or heritage assets.

5.256 Green Infrastructure (GI) is the network of green and blue spaces and corridors that exist within and between cities, towns and villages. As well as public open space, it includes wildlife sites, river corridors, coastlines, mountains, moorland, woodland and agricultural land and is integral to the health and quality of life of sustainable communities. The term GI is closely related to the concepts of natural capital and ecosystem services. Ecosystem services are the benefits which people gain from natural ecosystems such as food and water, and natural capital is the stock of natural ecosystems from which these benefits arise. Natural capital can be defined as our 'stock' of waters, land, air, species, minerals and oceans. This stock underpins our economy by producing value for people, both directly and indirectly. Natural Capital is the most fundamental of the forms of capital since it provides the basic conditions for human existence, delivering food, clean water and air, and other essential resources. Many aspects of natural capital such as biodiversity, clean air, land, and water are both limited and vulnerable.

5.257 GI can be regarded as a strategic network of green spaces designed to deliver ecosystem services to human communities and support natural capital. It fulfils a number of important functions including: access, recreation and sport; agriculture; woodland and forestry; biodiversity and geodiversity; economic development through improving the image of towns and cities, making them more attractive places to live, work and invest; health and wellbeing; landscape and townscape; flood control and drainage; food production and climate change mitigation.

5.258 The National Planning Policy Framework (NPPF) requires local plans to set out a strategic approach to planning for the creation, protection, enhancement, and management of networks of biodiversity and to plan for biodiversity at a landscape scale across local authority boundaries. The council has produced a Strategic GI Framework which sets out the principles and recommendations for GI in the county, and the conservation and enhancement of the existing network. New housing development will be required to include the provision of sufficient green infrastructure to meet the principles set out within the GI framework.

5.259 In determining whether it is appropriate for open space to be provided on or off-site, the council will have regard to the Open Space Needs Assessment (OSNA) which clarifies⁽⁷⁷⁾ the types of provision considered to be appropriate to the scale of the development. The use of green walls and green roofs will be encouraged where they are considered to be appropriate.

5.260 Where all or part of the required GI is to be secured by way of a planning obligation, the costs payable will be calculated by determining the likely cost to the council of providing the required area of open space, less the amount provided in kind by the developer.

5.261 Where new open spaces are provided, the council will expect the developer to maintain them for a minimum of 12 months following practical completion⁽⁷⁸⁾. Following this, the council may be prepared to adopt the land, providing it meets the required standard. A commuted sum for maintenance, calculated on the basis of typical maintenance costs per square metre for a 15 year period, will be payable. Alternatively, the developer may utilise a management company.

5.262 It is recognised that not all uses of green space are compatible. In particular, some sites which have a significant biodiversity value may be adversely affected by recreational use. Where such sites exist, it may be desirable to ensure that suitable alternative green spaces exist in the vicinity, which can absorb likely recreational pressure. This is particularly relevant with respect to the Durham Coast, where increased recreational use of green space forms a crucial part of the mitigation strategy for the council's Habitat Regulations Assessment.

77 Table 19 of the Open Space Needs Assessment (OSNA) set out the requirement for open space, sport and recreation facilities within housing developments.

78 This is dependent on the nature of the habitats created and establishment period required in order to determine success of creation.

5.263 In assessing whether a site is surplus to local requirements, and to inform whether the compensatory amount of open space is of an equivalent or better quality, regard should be had to any relevant assessments, strategies and action plans (including the OSNA, Strategic GI Framework, Playing Pitch Strategy and associated Action Plans) and any changes in circumstances that have taken place since they were produced, or which would take place as a consequence of the development.

How will the Policy be monitored?

Indicator:

1. Amount of new Green Infrastructure lost on approved sites.
2. Amount of new Green Infrastructure created on approved sites.
3. Amount of Green Infrastructure enhanced on approved sites.
4. Loss of Open Space Needs Assessment sites by hectare and number of sites where there is no compensation or mitigation provided.

Target:

1. No target.
2. No target.
3. No target.
4. Zero.

Policy 27 - Utilities, Telecommunications and Other Broadcast Infrastructure

Policy 27

Utilities, Telecommunications and Other Broadcast Infrastructure

Proposals will be permitted for new or extensions to existing energy generation⁽⁷⁹⁾, utility transmission facilities, telecommunication masts or other broadcast and broadband equipment which facilitate the electronic transfer of data where:

- a. it can be demonstrated that the scheme will not cause significant adverse impacts or that its benefits outweigh any adverse negative effects;

⁷⁹ Other than renewable energy generation which is covered in Policy 33 (Renewable and Low Carbon Energy).

- b. it is located at an existing mast or transmission site, where it is technically and operationally feasible and does not result in visual clutter. Where a new site is required applicants must demonstrate to the council's satisfaction that the use of existing sites in the area have been fully explored and are not feasible. Equipment must be sympathetically designed and camouflaged and not result in visual clutter; and
- c. where applicable, it does not cause significant or irreparable interference with other electrical equipment, air traffic services or other instrumentation operated in the national interest.

Broadband Connectivity

New residential and commercial development should be served by a high speed broadband connection. This will need to be directly accessed from the nearest exchange and threaded through resistant tubing to enable easy access to the cable for future repair, replacement and upgrading. Where it can be demonstrated that this is not appropriate, practical or economically viable, developers will be encouraged to provide appropriate infrastructure to enable future installation.

5.264 As well as taking into account existing utilities infrastructure such as sub-stations, overhead power lines, underground cables and gas pipelines which run across or adjacent to development sites, the provision of new infrastructure is required to enable the growth proposed in the Plan. Whilst generally utilities infrastructure is covered by permitted development rights some of these rights are time limited or below specified thresholds. Developments will therefore need to be determined on a case by case basis. We will continue to work in close partnership with energy providers to ensure minimum disruption to existing networks as well as enabling the phasing and delivery of appropriate utility infrastructure to support proposed development. Additional guidance in relation to planning and amenity aspects of building close to existing high voltage electricity transmission lines, gas pipelines and substations can be found on the National Grid website and includes information on statutory safety clearances⁽⁸⁰⁾.

5.265 Changes in demand patterns or the introduction of new technology, such as the increased use of electric cars, can also require new infrastructure or the reinforcement or expansion of existing infrastructure. As the UK's energy infrastructure is updated there will be a requirement for an expansion of existing infrastructure such as overhead power lines, underground cables, extending substations, new gas pipelines and associated installations and also new forms of infrastructure including smaller scale distributed generation, battery storage and gas storage sites.

5.266 This policy does not cover renewable, low carbon, or waste based energy generation, which are covered by other policies in the Plan. New power stations over 50 MW are classed as nationally significant infrastructure projects (NSIPs) and as such the Planning Inspectorate will examine applications and make recommendations to the Government. This policy covers power stations of 10 MW or more but less than 50 MW, which use oil or natural gas, they will also require energy policy clearance under section 14(1) of the Energy Act 1976⁽⁸¹⁾.

5.267 Modern telecommunications and access to high speed, reliable broadband are now considered essential to growing a sustainable economic future, providing opportunities to reduce our carbon footprint by reducing the need to travel, vital for education and individual lifestyles, as well as an

80 Guidance in relation to development near overhead lines, gas pipelines and 'A Sense of Place' guidance can be found here: [A Sense of Place, Working near our assets, Working near our pipes.](#)

81 More information is available here: [National Infrastructure Planning.](#)

increasingly central part to community cohesion and resilience. It is particularly important in rural areas where it can benefit businesses, tourism and enable communities to access services and facilities online, but where commercial providers are less willing to provide access.

5.268 The council is working in partnership with the Government to help improve broadband speeds for residents and businesses through several initiatives. The importance of Next Generation Access capable of delivering high speeds⁽⁸²⁾ is recognised, and the council is committed to extending fibre coverage to as many businesses, homes and communities in County Durham as possible with the funding available.

5.269 Full fibre access is the most future-proof option and the council will require developments to include this provision to new residential or commercial development, including major site renovations. Applicants will be encouraged to consult with a range of infrastructure providers to ensure competition and choice on new developments. Exceptions to full fibre provision, such as alternative fibre optic broadband solutions may be considered where applicants clearly demonstrate, through consultation with broadband infrastructure providers, that full fibre access would not be possible, appropriate, practical or economically viable.

5.270 The Government has carried out a series of consultations to stimulate private sector investment to achieve a transformation in broadband in the UK, and in 2017 the Digital Economy Act was brought into effect. This Act introduces a new Universal Service Obligation (USO) that will give people the legal right to request broadband download speeds of at least 10Mbps. The obligation will be initiated by 2020 and will put broadband on a more equal footing to other essential services such as electricity and water supply. Whilst the USO is less than half of the current government superfast speed target of 24Mbps, it provides a safety-net minimum, designed to ensure that those properties that cannot access superfast broadband infrastructure, are still able to access broadband at a minimum speed that ensures they are not socially or economically left behind.

5.271 The Act also removes the time limit for broadband street cabinets, new poles and lines to be installed under permitted development rights in any location other than a Sites of Special Scientific Interest (SSSI) without the need for prior approval from local planning authorities, as long as the development was completed on or before 30 May 2018. Further guidance on permitted development rights can also be found in Planning Practice Guidance (PPG)⁽⁸³⁾.

5.272 In accordance with the National Planning Policy Framework (NPPF), all new infrastructure installations should, where possible, minimise the number of masts and new sites required and be sympathetically designed and camouflaged where appropriate. In this context the phrase 'visual clutter' is used to describe the visual impact created by bringing together a number of potentially unrelated structures in one place resulting in an overwhelming and unsightly cluster. Therefore the cumulative impact of additional infrastructure being added to an existing site will need to be taken into account as part of the application process.

5.273 Where new equipment is proposed, which cannot be located on an existing site due to technical and operational constraints, operators will be required to provide evidence that they have explored the possibility of alternative existing sites. This is of particular importance where the site falls within an area of sensitivity, where it would normally be refused because of siting or appearance considerations. Green infrastructure can also be a valuable tool in helping to mitigate the potential adverse visual and environmental impacts of new infrastructure development and should be considered as part of the application process. This could include landscaping with plants or trees to soften the visual impact of new infrastructure or new habitat creation where trees or vegetation have been disturbed during the installation phase.

82 The UK Government recognise speeds of 24Mbps and above as Superfast Broadband. During the lifetime of the plan, as new technology develops, Ultrafast Broadband offering speeds of 100Mbps and above may become more readily available.

83 Specifically Paragraphs 070 reference ID: 13-070-20140306 to 073 Reference ID:13-073-20140306.

5.274 The NPPF also makes clear that local planning authorities must determine applications on planning grounds and should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure⁽⁸⁴⁾.

5.275 The Code of Best Practice on Mobile Network Development in England (2016) has been drawn up in partnership between Arqiva; the Department for Communities and Local Government; the Department for Culture Media and Sport; the Department for Environment, Food and Rural Affairs; Historic England; the Local Government Association; Mobile UK (representing the Mobile Network Operators); Landscapes for Life; National Parks England; and the Planning Officers Society⁽⁸⁵⁾. The Code applies to all forms of wireless development, but is most relevant to proposals for new masts or base stations and significant additions or extensions to existing sites. There is also a cabinet-siting and pole-siting Code of Practice for Fixed Line Code Operators and an ongoing review of how the planning system in England can support the delivery of mobile connectivity and the roll-out of the Government's 5G Strategy⁽⁸⁶⁾. One of the aims of the Future Telecoms Infrastructure Review, is to assess whether any further policy interventions may be needed to create the conditions for long term investment in world-class digital connectivity. The outcome of this review will need to be taken into account in future plan and decision making.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 28 - Safeguarded Areas

Policy 28

Safeguarded Areas

Within safeguarded areas, as shown on the policies map⁽⁸⁷⁾, development will be subject to consultation with the relevant authority and will be permitted:

- a. within the defined consultation zones of the Major Hazard Sites and Major Hazard Pipelines, where it can be demonstrated that it would not prejudice current or future public safety;

84 [HSE - Radiation: Non-Ionising FAQs.](#)

85 [Code of Best Practice on Mobile Network Development.](#)

86 [Connected Future.](#)

87 Maps D and E in the Policies Map.

- b. within the defined Durham Tees Valley and Newcastle International Aerodrome Safeguarding Areas where it can be demonstrated that it would not prejudice the safety of air traffic and air traffic services; and
- c. within the defined safeguarding area around the High Moorsely Meteorological Office radar site where it can be demonstrated that there will be no unacceptable adverse impact upon the operation of the site.

Within the defined Fishburn Airfield, and the Shotton Airfield and Peterlee Parachute Drop Zone Safeguarding Areas (including parachute landing areas), proposals for development which could adversely impact upon the operation or lead to the closure of these facilities will be carefully considered. Proposals will be permitted where it can be demonstrated that:

- d. they would not prejudice the safety of air traffic and air traffic services; and
- e. they would not have an unacceptable adverse impact upon the operation of the Peterlee Drop Zone unless the benefits of the proposed development clearly outweigh the resulting harm.

When considering relevant planning applications within the defined safeguarded areas the council will ensure that developers always consider both potential individual and cumulative impacts. Where demonstrated to be necessary mitigation will always be sought to either remove or reduce the potential impact upon each safeguarded areas to acceptable levels.

5.276 Government guidance⁽⁸⁸⁾ requires that we consult the Health and Safety Executive (HSE), Durham Tees Valley Airport, Newcastle International Airport and the Secretary of State for Business Innovation and Skills, acting through the Meteorological Office, on planning applications within officially safeguarded areas and their surrounding defined consultation zones. None of these safeguarded areas are the responsibility of the local planning authority but need to be taken into account in the consideration of planning applications. Depending upon the specific safeguarded area, within these areas there may be restrictions on for example:

- the physical location of development;
- the height of structures and buildings (fixed or transient which could impact upon radar systems or present a collision hazard);
- the design of new development to avoid using reflective materials or lighting which could cause distraction or glare for pilots or could imitate airfield lighting; and
- landscaping schemes or open water which might create or lead to an increased bird strike hazard.

5.277 The HSE is a statutory consultee for planning applications around major hazard sites and major accident hazards. The HSE has set a consultation distance around major hazard sites and major accident hazard pipelines after assessing the risks and likely effects of major accidents at the major hazard. Within County Durham major hazards comprise a wide range of chemical process sites, fuel and chemical storage sites, and pipelines including the High Pressure Gas Pipeline between Bishop Auckland/Sutton Howgrave and the Wilton-Grangemouth Ethylene Pipeline. The HSE will be

88 The Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) Direction 2002 and Town & Country Planning (Safeguarded Meteorological Sites) (England) Direction 2014.

consulted on certain developments which lie within the consultation distance of a major hazard site or a major accident hazard pipeline⁽⁸⁹⁾. Similarly, the council will also consult the National Grid and Northern Gas networks in relation to development proposals around their network of pipelines and high voltage pylons⁽⁹⁰⁾.

5.278 The Civil Aviation Authority has identified both Newcastle International Airport and the Durham Tees Valley Airport as officially safeguarded aerodromes. The Newcastle Airport Safeguarding Area extends into the far north of the county for general development and in addition 30 kilometres from the aerodrome for windfarms. Similarly the Durham Tees Valley Airport Safeguarding Areas extend into south east Durham and require consideration of bird strike 13 kilometres from the aerodrome, 15 kilometres for general development and 30 kilometres for windfarms. The policies map⁽⁹¹⁾ also identifies Fishburn Airfield Safeguarding Area. Within these safeguarded zones we will consult the individual airport operator on certain development proposals. Development proposals which would prejudice the air safety of these airports and airfields will not be permitted within the safeguarding zones. This includes proposals which might increase the risk of collision between aircraft and birds due to the creation of a bird strike hazard⁽⁹²⁾.

5.279 An officially safeguarded area has been designated for the Meteorological Office radar site at High Moorsley in Sunderland. The safeguarded area extends into the county covering large areas of Central, North and South Durham. The radar site provides important observation information which is essential for producing weather warnings and forecasts for a large number of customers including local authorities, the Ministry of Defence, the Environment Agency, airports, emergency services and other maintainers of essential infrastructure (such as transport and service providers). Within the consultation zone we will consult the Meteorological Office on certain planning applications⁽⁹³⁾.

5.280 The policies map also identifies the Parachute Landing Areas (PLA), Overshoots and designated Drop Zone (DZ) associated with Shotton Airfield and the Peterlee Parachute Centre. The Peterlee DZ has operated continuously since 1987 and is now the only designated site for parachuting in the North East serving County Durham, Northumberland, Tyne and Wear, the Tees Valley, North Yorkshire and South East Scotland. It is also listed by Sport England as a Significant Area For Sport (SASP)⁽⁹⁴⁾.

89 Within the identified consultation distance of major hazard installations / complexes and pipelines, HSE should only be consulted for developments involving: residential accommodation; more than 250 square metres of retail floor space; more than 500 square metres of office floor space; more than 750 square metres of floor space to be used for an industrial process; transport links (railways, major roads, etc.); a material increase in the number of persons working within, or visiting, a location within the consultation distance of a major hazard site. In addition the HSE should also be consulted on: proposed development involving the siting of new establishments where hazardous substances may be present; or modifications to existing establishments which could have significant repercussions on major accident hazards; or proposed development that is in the vicinity of existing hazardous installations and pipelines where the siting is such as to increase the risk or consequences of a major accident.

90 Guidance on safe working near high pressure gas pipelines and pylons can be accessed on both the National Grid and Northern Gas Networks websites: [Planning and development](#), [Working near our assets](#), [Working near our pipes](#).

91 Maps D and E in the policies base document.

92 In instances where the council intends to grant planning permission against the recommendation of a safeguarding consultee, the council will refer the application to the Civil Aviation Authority.

93 The Meteorological Office will be consulted on all pylon proposals over 10 metres in height within 10 kilometres of the radar site; any development involving wind turbines and buildings, structures and works exceeding between 10.7 metres and 91.4 metres above ground level (depending on location and topography) within 20 kilometres of the radar site.

94 In order to avoid restrictions to parachuting activity these criteria include a PLA largely free of minor hazards (hedges, fences, ditches), overshoots largely free of Major Hazards (large hangars, buildings, small wind turbines, woods), no electric power lines within 800 metres of the PLA/DZ, no special hazards (open deep water/rivers, electric power lines, large wind turbines) within 1.2 kilometres of the PLA/DZ centre, and no aerial hazards (any obstacle in excess of 90 metres AGL) within 2.4 kilometres of the PLA/DZ centre and no windfarms within the designated DZ (minimum 2.4 kilometres from the centre). The CAA also lay down criteria in CAP 793 that there should be no obstacles exceeding a height of 150 feet (45 metres) above the mean elevation of the runway within 2 kilometres of the centre of the runway.

How will the Policy be monitored?**Indicator:**

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Requiring Good Design

5.281 The design quality of new development in the county has varied significantly. We are committed to ensuring that in future it will be of a high standard in terms of architecture, urban design, sustainability and innovation. This ensures that new development enhances and complements existing high quality areas and raises the design standards and quality of areas in need of regeneration. New development should provide local people with civic pride, make them feel safe and secure and help improve the overall image of the county and reflect local distinctiveness.

5.282 Development needs to be carefully planned to ensure important features and characteristics are protected and enhanced. The layout and design of new developments must be based on a thorough understanding of a site and its wider context. This requires careful consideration of site layout, including how the development integrates into its setting in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational treatment, materials, streetscape and rooflines. The layout, form and mix of development should also support walking, cycling and public transport provision.

Policy 29 - Sustainable Design

Policy 29

Sustainable Design

All development proposals will be required to achieve well designed buildings and places having regard to supplementary planning documents and other local guidance documents where relevant, and:

- a. contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities;
- b. create buildings and spaces that are adaptable to changing social, technological, economic and environmental conditions and include appropriate and proportionate measures to reduce vulnerability, increase resilience and ensure public safety and security;
- c. minimise greenhouse gas emissions, by seeking to achieve zero carbon buildings and providing renewable and low carbon energy generation, and include connections to an existing or approved district energy scheme where viable opportunities exist. Where connection to the gas network is not viable, development should utilise renewable and low carbon technologies as the main heating source;
- d. minimise the use of non-renewable and unsustainable resources, including energy, water and materials, during both construction and use by encouraging waste reduction and appropriate reuse and recycling of materials, including appropriate storage space and segregation facilities for recyclable and non-recyclable waste and prioritising the use of local materials;

- e. provide high standards of amenity and privacy, and minimise the impact of development upon the occupants of existing adjacent and nearby properties; and
- f. contribute towards healthy neighbourhoods and consider the health impacts of development and the needs of existing and future users, including those with dementia and other sensory or mobility impairments.

Landscape proposals should:

- g. respond creatively to topography and to existing features of landscape or heritage interest and wildlife habitats;
- h. respect and where appropriate take opportunities to create attractive views of and from the site;
- i. reflect in the detailed design any features characteristic of the locality such as boundaries, paving materials and plant species;
- j. create opportunities for wildlife including through the use of locally native species;
- k. make appropriate provision for maintenance and long term management; and
- l. in the case of edge of settlement development, provide for an appropriate level of structural landscaping to screen or assimilate the development into its surroundings and provide an attractive new settlement boundary.

Places and Spaces

Major development proposals and those which affect, or add to, the public realm should:

- m. create a well-defined, easily navigable and accessible network of streets and spaces which respond appropriately to local context, to ensure that:
 - 1. the public realm, including new roads, paths and other rights of way, open spaces, hard and soft landscaping, boundary features and other structures, are designed to be functional, well-managed safe and durable, taking into account the lifetime needs of its users;
 - 2. convenient access is provided for all users whilst prioritising the needs of pedestrians, cyclists, public transport users, people with a range of disabilities, and, emergency and service vehicles;
 - 3. connections are made to existing cycle and pedestrian networks;
 - 4. the public realm benefits, where possible, from natural surveillance;
 - 5. amenity open space is designed with regard to the local micro-climate including sunlight, shade and shelter; and
 - 6. private and communal amenity space is well-defined, defensible and appropriate in its design, size and location to the needs of its users.

Buildings

All new residential development will be required to comply with the Nationally Described Space Standards (NDSS). In order to allow for an appropriate transition period, the NDSS will only be applied to outline or full applications approved one year after the Plan is adopted. In addition all major new residential development will be required to:

- n. when assessed against the Building for Life Supplementary Planning Document⁽⁹⁵⁾ secure as many greens as possible, whilst minimising the number of ambers. Schemes with one or more red will not be acceptable and will be refused planning permission unless there are significant overriding reasons;
- o. achieve reductions in CO2 emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on current Building Regulations⁽⁹⁶⁾. The policy would not apply in the event that the relevant Building Regulations were enhanced; and
- p. be built to at least 30 dwellings per hectare (dph) net in and around town centres and locations where there is good access to facilities and frequent public transport services. Lower densities may be acceptable in other locations or where it is necessary to:
 1. ensure good design and development that is compatible with its surroundings and character;
 2. secure particular house types to meet local needs; and,
 3. meet infrastructure requirements.

All major new non-residential development will be required to achieve Building Research Establishment Environmental Assessment Method (BREEAM) minimum rating of 'very good' (or any future national equivalent).

Extensions and Alterations

Proposals for alterations and extensions to residential property, and development associated with the incidental enjoyment of a dwelling, should ensure the development is sympathetic to the existing building(s) and the character and appearance of the area in terms of design, scale, layout, roof design and materials.

Signage, Adverts, Street Furniture and Public Art

Proposals should ensure:

- q. street furniture, public art, adverts and signage are appropriate and sympathetic to all users and the local setting in terms of scale, design, lighting and materials, and
- r. adverts are not detrimental to visual amenity or public highway safety.

95 The BfL review process covers all residential-led schemes of 50 or more units or of 1.5 hectares or more, as well as any smaller schemes in particularly sensitive locations.

96 2013 edition of the 2010 Building Regulations.

5.283 This policy addresses all new development in the built environment including new housing and other new buildings, as well as extensions, alterations and changes of use of existing buildings. It aims to ensure that development is well-designed, responds to the local context and incorporates appropriate energy standards.

Design

5.284 New development will be expected to be of a high design quality that respects and responds to the local context and distinctiveness of the area. The layout and design of new developments must be based on a thorough understanding of the site itself and its wider context including any relevant history, topography, infrastructure constraints, building layouts, built form, height, mass, scale, plot size etc. It should also seek to maximise the benefits of the site's characteristics and ensure valuable features and characteristics are protected and enhanced. Development should seek to incorporate design solutions for buildings and spaces that optimise solar gain (without increasing the risk of overheating) and adapt to climate change impacts. They may include, for example, green/brown roofs and walls, green infrastructure planting and solar shading. The retention of established planting and trees in particular can visually enhance a development, as can ensuring an appropriate relationship with the wider landscape, both visually and in terms of activity and through the creation of habitat for wildlife.

5.285 Creating an accessible and permeable public realm through connecting places and spaces, will help to ensure that many daily needs can be met by the use of walking, cycling or public transport County Durham Strategic Cycling and Walking Delivery Plan 2019-2020⁽⁹⁷⁾. Opportunities should be taken to create or reinforce a logical and legible hierarchy of routes, intersections and public spaces. The design of these spaces will vary dependent upon movement, activities and uses supported however, they should be accessible in accordance with the local design standards, including the Durham County Council Highways Design Guide For Residential Development. The built form should be used to assist in this regard, with the inclusion of focal buildings and features where appropriate to act as visual points of reference. Development should also take account of the requirements of the Policy 26 (Green Infrastructure).

5.286 A high quality built environment should consider the amenity of both existing and future residents and consideration should be given to matters of privacy, outlook, natural lighting, ventilation, as well as local climatic conditions. Indoor and outdoor space, including private and communal gardens, should be provided as appropriate in order to support a reduction in health inequality and the promotion of healthy lifestyles. Spaces should be designed to be accessible and safe to all users, including people with sensory and cognitive issues as well as reduced physical mobility. The design and layout of open and amenity spaces should be flexible and explore opportunities for community food growing space where appropriate to support the creation of healthy communities and improve wellbeing.

5.287 There are many occasions when alterations and extensions are proposed to buildings, both domestic and business premises. Extensions and/or alterations that are sympathetically designed, do not detract from the character of the area and have no adverse effect on the amenity of neighbours in accordance with Policy 31 (Amenity and Pollution) will be approved.

5.288 Street furniture and materials within the public realm should be robust and hard wearing to ensure their longevity. Wherever possible materials and equipment should be selected from standard palettes to ensure cost effectiveness and ease of replacement and maintenance. As a general rule the public realm should be free from clutter and feature surfaces that are level and avoid high reflectivity and contrasting patterns as these can present difficulties for some users, including the elderly, those with dementia and similar conditions.

97 [Strategic Cycling and Walking Delivery Plan \(2019-2029\)](#).

5.289 The National Planning Policy Framework (NPPF) acknowledges the role of planning in improving health. Examples include ensuring healthy living environments for people of all ages which support social interaction, encourage active travel and access to green open space and safe places for active play and food growing. As our population ages, development should also consider the needs of those users who are not in good health, for example those with sensory or mobility impairments. It is important therefore that developers should consider the health needs of the local community when designing and delivering new development and neighbourhoods so that they create inclusive, health-promoting buildings and communities (for example making them dementia friendly⁽⁹⁸⁾).

5.290 A Health Impact Assessment demonstrating the health credentials of a proposal will be required in support of all large development schemes⁽⁹⁹⁾. For smaller developments, evidence will be required to highlight how the development reflects the health needs of the local population.

5.291 High quality development should be achieved through a robust and collaborative design process from inception to completion on the ground. The design process should go beyond the development construction phase and should also ensure suitable management arrangements and maintenance regimes are put in place. The Design and Access Statement, that accompanies planning applications should demonstrate how development proposals contribute to the appropriate criteria set out within this policy and within established best practice guidance (e.g. Building for Life 12, By Design, Urban Design Compendium, Manual for Streets, Streets for All, Secured by Design, Active Design, Neighbourhoods for Life, etc.).

Energy and Resources

5.292 The built environment accounts for over half of the UK's CO2 emissions, through both construction and use. It is essential to meet both national and local targets to ensure that new development does not overly increase this burden. Development must therefore target Zero Carbon Buildings through energy efficiency and include renewable and low carbon energy technologies to mitigate carbon dioxide emissions.

5.293 New development should seek to minimise the use of resources, including energy, water and materials by minimising waste and encouraging recycling. This should apply both during construction and the lifetime of the completed development. For proposals that are likely to generate significant volumes of waste through the development or operational phases it will be useful to include a waste audit as part of the application. Incorporating energy minimisation and solar optimisation within the overall design and layout of developments can also contribute to this aim.

5.294 Renewable energy technologies will be encouraged on-site. Where opportunities for viable installations have been identified, it is expected that such installations would go forward as part of the development. Major developments will also be required to connect to an existing or approved district energy scheme where viable opportunities exist. Developments in off-gas areas usually use oil or LPG as their main heating fuel which is both expensive and carbon intensive. New development in these areas will therefore be required to utilise renewable and low carbon technologies as their main heating source.

5.295 NPPF is clear that new development should help to reduce greenhouse gas emissions including through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's national technical standards. While there has been some confusion and uncertainty about what can and cannot be done at the local level to raise the sustainability of new build homes, particularly for energy and carbon, a Written Ministerial Statement in March 2015 confirmed that local authorities can continue to set energy performance standards

98 Guidance notes are available from the Alzheimers Society: [Dementia-friendly communities](#).

99 100 dwellings or more, employment sites 10ha and over.

higher than building regulations, up to the equivalent of Code for Sustainable Homes Level 4 'until commencement of amendments to the Planning and Energy Act 2008'. The powers to amend the 2008 Act have not been enacted.

5.296 The council has chosen to require higher standards and major new build residential development will be expected to achieve reductions in CO2 emissions of 10% below the Dwelling Emission Rate (DER) against the Target Emission Rate (TER) based on the 2013 edition of the 2010 Building Regulations (Part L). The policy would not apply in the event that the relevant Building Regulations were changed. This can be achieved entirely through energy efficiency measures, for example through enhanced insulation, glazing, 'airtightness' and high efficiency heating, Solar PV and hot water heat recovery. Major residential schemes will also be encouraged to adopt the Home Quality Mark accreditation scheme to ensure that wider sustainability measures are incorporated. This would help house builders to promote high quality homes and at the same time give householders the confidence that their new home is well designed and built and cost effective to run. Major non-residential schemes can also contribute to achieving reductions in emissions and should achieve a BREEAM rating of 'Very Good' as a minimum. A Sustainability Assessment will be required setting down how schemes meet these requirements.

Building for Life

5.297 Building for Life 12 (BfL)⁽¹⁰⁰⁾ is a government endorsed industry standard for well-designed homes and neighbourhoods. BfL seeks to address the concerns of local communities by setting standards which developers have to meet in order to achieve planning approval. BfL incorporates a scoring system which is used to assess the performance of a scheme against a list of 12 questions. These refer to topics such as car parking, design of streets, legibility, local character and access to facilities and public transport amongst others.

5.298 The council has incorporated the BfL Standards into a design review process which has been operating since 2016. This process has now been formalised within the council's Building for Life Supplementary Planning Document⁽¹⁰¹⁾. Applicants will need to provide evidence of how their development performs against each question to enable a conversation about the design of new schemes between the applicant and the local planning authority. While the BfL principles are of benefit for most development proposals, the council's design review process specifically applies to schemes of 50 or more units, or of 1.5 hectares or more. Smaller schemes that are located in particularly sensitive locations, such as conservation areas, may also be reviewed using the BfL process.

5.299 The process uses the BfL traffic light system (green, amber, red) to assess quality. Schemes should secure as many 'greens' as possible, whilst minimising the number of 'ambers' and avoiding 'reds'. A red gives warning that a particular aspect of a development needs to be reconsidered. Applicants at the pre-application stage should address any 'reds' before progressing to formal planning. Where schemes score 'ambers' and 'reds' at the formal application stage the council will provide advice on amending the proposal. If an applicant cannot demonstrate that they have done enough to address improvements in line with review findings, then the scheme will not be supported. Schemes with one or more red will not be acceptable and will be refused planning permission unless there are significant overriding reasons. An example may be where an otherwise acceptable proposal is in a location which has poor public transport provision (SPD Criteria 3). The applicant must demonstrate to the satisfaction of the council that they have explored all options to mitigate for this. Where there are no viable opportunities to address the matter then the scheme may be supported providing it performs well in all other regards.

100 [Building for Life - Third edition.](#)

101 [Building for Life Supplementary Planning Document](#) (2019).

Density

5.300 Density is part of the design process and it is essential that imaginative design solutions are encouraged to achieve appropriate density levels. Developments should make effective use of land and resources by achieving higher densities (i.e. 30 plus dwellings per hectare) in locations with good access to public transport and facilities.

5.301 Lower densities may be more appropriate in response to the prevailing existing character of a site, in smaller settlements or to provide a range and choice of housing. The density of development should be a product of a robust site assessment which responds positively to the county's exceptional environmental quality.

Residential Internal Space Standards

5.302 The amount of space in a home influences how people live, impacting on their health and wellbeing. Providing homes of sufficient size to allow residents 'room to grow' is a critical part of delivering sustainable communities. The Government has set Nationally Described Space Standards (NDSS)⁽¹⁰²⁾ which reflect the need for sufficient indoor space to ensure homes meet typical day to day needs at a given level of occupation. These standards address internal space within new dwellings across all tenures, including both market and affordable. They also cover minimum floor areas and room widths for bedrooms, minimum floor to ceiling heights and minimum floor areas for storage. Evidence⁽¹⁰³⁾ shows that many new homes across the country are being built below the recommended NDSS minimum size standards. Our own evidence⁽¹⁰⁴⁾ also shows that many new homes in the county are being built below NDSS, having an impact on the quality of life of residents. As a result of this evidence the council has therefore determined that it is necessary to introduce the NDSS in County Durham. All housing schemes will therefore be expected to apply the standards unless they can demonstrate to the council that they would render the scheme unviable. In order to allow for an appropriate transition period, the standards will only be applied to outline or full applications approved one year after the Plan is adopted. This would represent a reasonable transition period during which data for monitoring purposes could also be gathered. The standards will not be applied retrospectively to those applications for reserved matters where the outline permission has been determined or is subject to a resolution to grant permission (including subject to planning obligations) before the policy comes into effect.

Residential Amenity Standards

5.303 A high quality built environment should consider the amenity of both existing and future residents and consideration should be given to matters of privacy, outlook, natural lighting, ventilation, as well as local climatic conditions. The council's Residential Amenity Standards Supplementary Planning Document sets down standards for alterations, extensions and distances between new dwellings⁽¹⁰⁵⁾.

Public Safety

5.304 Safety and crime prevention are key elements of sustainable places and developments. The incorporation of design and security measures which reduce opportunities for crime will be supported and developers are encouraged to seek further advice from Durham Constabulary at the earliest opportunity in the design process. Similarly, the incorporation of sprinkler systems to aid fire safety within new developments will be supported.

102 [Technical housing standards-nationally described space standard](#) (2015).

103 The Case for Space, RIBA, September 2011.

104 [Residential Internal Space Standards](#) (2019).

105 Housing Internal Spaces Standards [Residential Amenity Standards Supplementary Planning Document](#) (2019).

5.305 Where appropriate, development should promote public safety and take into account wider security and defence requirements. Proposals should anticipate and address possible malicious threats and natural hazards especially in locations where large numbers of people are anticipated to congregate and to incorporate mitigation within the design at an early stage. Whilst the following list is not exhaustive, particular focus should be given to transport hubs, cinemas and theatres, sports stadia and arenas, shopping centres, health and education establishments, places of worship, bars, hotels and restaurants, visitor attractions, commercial centres, government buildings, critical infrastructure and venues deemed to be of note.

5.306 Through working in partnership with Durham Constabulary at a pre-application stage the layout and design of these types of developments can be informed with most up to date information and intelligence available. Developments should consider all recommended mitigation options so that appropriate and proportional steps can be taken to reduce vulnerability, increase resilience and ensure public safety and security.

How will the Policy be monitored?

Indicator:

1. Density of new housing schemes on allocated and windfall sites.
2. Proportion of housing schemes which are put forward for Building for Life 12 accreditation achieve it.
3. Schemes receiving one or more red scores through internal Building for Life design review.

Target:

1. 30 dwellings per hectare and where applicable the allocation yield.
2. 100%.
3. Zero.

Promoting Healthy Communities

5.307 The National Planning Policy Framework (NPPF) states that the planning system can play an important role in facilitating interaction and creating healthy, safe and inclusive communities. This Plan seeks to embed health and wellbeing considerations throughout, to achieve healthy places with safe, accessible and inclusive environments for people to come together. It is also necessary to deliver the social, recreational and cultural facilities and services that communities need to facilitate active and healthy lifestyles such as through the provision of appropriate green infrastructure.

5.308 Many people in County Durham today live in different social circumstances and experience differences in health, well-being and length of life. Improving the health of the whole population and reducing health inequalities is key. Good health is central to people's happiness and wellbeing. It is important at an individual and social level, as it creates social and economic value. Alternatively, the cost of poor health can be measured in both human terms – lost years of life and active life, and in economic terms – the cost to the economy of additional illness. Research consistently reports that the majority of our health outcomes are explained by factors other than healthcare.

5.309 There is a clear relationship between the local economy and health. Improved local economies can provide access to employment, which may then provide access to better housing or health promoting activities. While 'good work' is linked to positive health outcomes, insecure and poor quality employment is associated with an increased risk of poor physical and/or mental health from conditions caused by work that in turn lead to absence due to illness, and worklessness.

5.310 Transport helps people access work, education, social networks and services that can improve their health. The type of transport can also have a positive outcome on health such as impacting upon air quality, levels of physical activity, noise pollution and road traffic injuries. People's health is affected by the nature of their physical environment, the quality of their housing, what kind of neighbourhood they live in, whether they have access to good quality green spaces and to a good quality food environment or places for children to play. Living close to areas of green space such as parks, woodland and other open spaces can improve physical and mental health. Access to green space is associated with a decrease in health complaints such as blood pressure and cholesterol, reduced stress levels and perceived better general health. It can also encourage social contact, provide space for physical activity and play and improve air quality.

5.311 Communities are important for physical and mental health and well-being. The physical environment and the social characteristics of communities, can combine to promote healthy behaviours and contribute to our health. Neighbourhoods are places where people live, work, and play and have a sense of belonging and their design can contribute to improving health. The walkability and the mix of uses in an area can provide opportunities for social engagement and active travel. Neighbourhoods can shape our day-to-day decisions and therefore have a significant role in improving the health behaviours of our whole population.

Policy 30 - Hot Food Takeaways

Policy 30

Hot Food Takeaways (A5 Uses)

Within Sub-Regional, Large Town, Small Town and District Centres (as defined in Policy 9 (Retail Hierarchy and Town Centre Development) and as shown on the policies map), in order to minimise the detrimental impacts of an over concentration of hot food takeaways, planning applications for A5 uses will be carefully considered. Where a proposal would lead to more than 5% of

premises in A5 use, or where the A5 levels are currently above 5% and a proposal would further increase this, applicants will be required to demonstrate that the proposal would not detract from a centre's vitality and viability. In assessing such applications regard will be had to:

- a. The existing levels of vacancies within the centre;
- b. The design of the frontage. In particular, the avoidance of roller shutters will be encouraged; and
- c. The nature of the proposed use in terms of opening hours and avoiding a blank frontage during daytime hours.

Within defined local centres consideration should be given to the impact that the proposed A5 use would have in terms of the overall vitality and viability considering the numbers of existing A5 uses and will be refused if the impact is unacceptable.

In order to promote healthy lifestyles in young people, proposals for A5 uses outside of defined centres but within 400 metres of an entry point of an existing or proposed school or further education college will not be permitted.

Where a proposed A5 use is considered locationally acceptable, consideration will need to be given to the impact that the development would have in terms of amenity, particularly in relation to noise and odours. Where it is considered that the proposal would give rise to unacceptable impact, the application should be refused.

5.312 Reducing levels of obesity is a key objective of the council. One way this can be achieved is to encourage healthy eating. Large concentrations of hot food takeaways within our town centres can have the opposite effect by encouraging unhealthy eating habits. An over-concentration of hot food takeaways can also have a detrimental impact on vitality and viability. They can also give rise to concerns about noise, disturbance, odours, parking and litter which are likely to be considerations in the determination of any planning application. In assessing proposals within town centres, consideration will therefore be given to the detrimental impact that an over-provision of A5 uses may have.

5.313 An assessment⁽¹⁰⁶⁾ has been carried out of the numbers of A5 units within our town centres. This has identified that some have relatively high existing numbers of A5 uses within them ranging from 1.6% in Peterlee to 9.3% in Shildon. It is therefore important to consider the potential impact that increasing numbers of A5 uses is having on the vitality and viability of these centres. Where a proposed A5 use would lead to more than 5% of premises in A5 use within a centre, or where levels of A5 uses within that centre are already above 5%,⁽¹⁰⁷⁾ it will be necessary for the applicant to demonstrate that a proposed A5 unit would not detract from the vitality and viability of the centre. In assessing such applications regard will be had to the existing levels of vacant units within the centre. In particular, where vacancy rates are above the national average, weight will be given to the contribution that the proposal will make to reducing this. In addition, the frontage will be required to be of good design avoiding the use of roller shutters where possible. Encouragement will also be given to uses that are a not solely to support the night time economy.

106 [County Durham Town Centre Surveys \(2018\)](#).

107 This will include units that are vacant but have planning permission for an A5 use.

5.314 The nature of our local centres in terms of their size and function means that the application of a 5% threshold is not appropriate in assessing such applications. In assessing proposals for A5 uses within local centres, consideration should be given to the impact that such a proposal would have on the overall vitality and viability of the centre, considering the mix of uses and also the levels of existing vacancies.

5.315 The council has carried out an assessment of Fast Food and its Impact on Health⁽¹⁰⁸⁾ which looks at the density of fast food outlets in County Durham. This provides evidence of a correlation between the density of fast foods outlets and obesity levels amongst children within locations in the county. As the promotion of healthy eating amongst young people is a key national and local priority it is reasonable to limit the number of hot food takeaways close to schools and colleges. Therefore proposals for A5 uses outside of retail centres but within a five to ten minute walking distance of a school, or college, equating to a 400 metre walking route from a school or further education college entry point, will not be permitted.

5.316 It should be noted that this policy applies to the development of A5 use class developments only, and not sui generis or mixed use developments.

How will the Policy be monitored?

Indicator:

1. Percentage of units within Sub Regional, Large Town, Small Town and District centres in use or with planning permission for A5 (hot food takeaways).

Target:

1. A5 not increasing to or exceeding 5%.

Policy 31 - Amenity and Pollution

Policy 31

Amenity and Pollution

Development will be permitted where it can be demonstrated that there will be no unacceptable impact, either individually or cumulatively, on health, living or working conditions or the natural environment and that can be integrated effectively with any existing business and community facilities. The proposal will also need to demonstrate that future occupiers of the proposed development will have acceptable living and/or working conditions. Proposals which will have an unacceptable impact such as through overlooking, visual intrusion, visual dominance or loss of light, noise or privacy will not be permitted unless satisfactory mitigation measures can be demonstrated whilst ensuring that any existing business and/or community facilities do not have any unreasonable restrictions placed upon them as a result.

108 [Fast Food and its Impacts on Health.](#)

Development which has the potential to lead to, or be affected by, unacceptable levels of air quality, inappropriate odours, noise and vibration or other sources of pollution, either individually or cumulatively, will not be permitted including where any identified mitigation cannot reduce the impact on the environment, amenity of people or human health to an acceptable level.

Development which does not minimise light pollution and demonstrate that the lighting proposed is the minimum necessary for functional or security purposes will not be permitted.

Sensitive development (such as housing, schools and hospitals) will not be permitted near to an existing or potentially polluting development including waste water and sewage treatment facilities. Potentially polluting development will not be permitted near to sensitive uses unless satisfactory mitigation can be demonstrated.

5.317 Planning has an important role to play in making sure that new and existing development does not have, and is not at risk from, pollution or nuisance which could unacceptably impact upon the health, living conditions or the natural environment including water quality. The National Planning Policy Framework (NPPF) sets out that new development needs to be appropriate for its location taking into account the likely effects of pollution on health and living conditions including the sensitivity of the site or wider area to impacts. The purpose is to ensure that new development can be integrated effectively with existing businesses and other community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them due to development permitted after they were established. Proposals which have the potential to impact on the general amenity and health of people either living or working near a proposal will need to demonstrate that there will be no unacceptable impact.

5.318 Development can have the potential for unacceptable impact on the environment and/or people and this can be during all stages of development including construction. This could include air quality, dust, odour, noise and vibration or light and can be of particular significance where they affect the amenity and health of people. Particular attention needs to be paid to any identified sensitive uses such as housing, schools and hospitals or the environment such as sensitive species and habitats.

5.319 The council's Validation Checklist will set out which applications will be required to be supported by an assessment of amenity and pollution. Best practice and guidance materials should be considered in the assessment of relevant development proposals together with relevant Technical Advice Notes for dust, lighting, noise and odour. The assessments are necessary to identify any sources of pollution together with any appropriate mitigation measures where relevant.

Air Quality

5.320 The planning system can play an important role in the improvement of air quality. Whether or not air quality issues are relevant to a planning decision will depend on the proposed development and its location. In determining a planning application, the development's likely effect, either directly or indirectly, on air quality will be considered. This will be particularly important in areas which have been designated as an Air Quality Management Area (AQMA).

5.321 There are currently two AQMAs in County Durham, one from Stonebridge to the junction of Dragon Lane and Sunderland Road together with short sections of Claypath and New Elvet in Durham City and a small area at Pelton Fell Road in Chester-le-Street. Airborne pollutants will therefore need to be minimised in these areas, to ensure that development proposals do not prejudice the implementation of an Air Quality Action Plan to reduce the specified pollutants. Proposals for sensitive land uses (including residential, education and hospitals) in areas exposed to air quality concentrations

above the National Air Quality Strategy objectives must take into account the need to reduce exposure by applying the mitigation hierarchy: separation by distance; external layout; internal layout and suitable ventilation. Major planning and development schemes within an AQMA and surrounding areas will need to be assessed to determine any impact on air quality and showing any ameliorating design measures.

5.322 In addition to reducing impacts on human health, development should not result in the deterioration of protected habitats and species. In addition major development proposals that are likely to increase air pollution in the vicinity of a Natura 2000 site (or a site of equivalent value), either directly or indirectly through, for example an increase in vehicular traffic, will be subject to a Habitats Regulation Assessment in accordance with Policy 42 (Internationally Designated Sites).

Dust

5.323 The assessment of the impact of dust pollution, both during the construction and operational phase of development, will need to consider the impact on air quality from emissions of PM10 (Particulate Matter below 10 microns) and PM2.5 (Particulate Matter below 2.5 microns) and the potential for visible dust emissions to give rise to unacceptable amenity impacts or to a statutory nuisance to neighbouring sensitive receptors. Dust monitoring may need to be carried out where dust generating activities are to be carried out close to neighbouring sensitive properties. The onus for carrying out the monitoring should normally fall with the operator. The results of monitoring will need to be examined in relation to established ambient background levels.

Odour

5.324 The location of development in areas where there is a sensitive use (including residential, education and hospitals) which may be unacceptably impacted on by odour emissions from new development or changes to existing development should be dealt with through the design of the development and the planning stage rather than needing to seek to abate a statutory nuisance under Environmental Protection legislation. Having quantified the degree of risk of odour emissions from the development then consideration can be given to the mitigation measures included in the policy.

Light Pollution

5.325 Light pollution is artificial light that illuminates areas that are not intended to be lit. The intrusion of overly bright or poorly directed lights can cause glare, wasted energy, have impacts on nature conservation, and affect people's right to enjoy their property. It can also severely affect our view of the night sky. Light pollution may also damage the perception of a heritage asset in its setting, especially if the asset is experienced at night or is floodlit. The NPPF is clear that planning policies should limit the impact from light pollution on local amenity, intrinsically dark landscapes, and nature conservation, primarily through promoting and requiring good quality design.

5.326 Development proposals with the potential to result in unacceptable levels of light pollution, either individually or cumulatively with other proposals, should be accompanied by an assessment of the likely impact to show that the lighting scheme is the minimum necessary for functional or security purposes and that it minimises potential pollution from glare and spillage. Particular attention will be paid to areas where tranquillity and dark skies are valued and may also be sensitive to light pollution, such as the World Heritage Site, North Pennines Area of Outstanding Natural Beauty, open countryside, within the setting of heritage assets close to sensitive uses or to areas or features important for nature conservation.

Noise Pollution

5.327 Noise pollution is noise created by man-made sources which, if excessive can cause disturbance or annoyance and negatively affect wildlife and sensitive areas including areas known for their tranquillity. It often occurs as a result of industrial operations, transportation or roads. Good planning should aim to prevent the adverse effects of noise from being unacceptable, as stated in the NPPF. This includes the siting of development that generates noise and development that is sensitive to noise. Planning Practice Guidance (PPG) clarifies that noise is a complex technical issue and that it is necessary to identify whether the overall effect of noise exposure is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation.

5.328 It will be necessary to determine the impact of noise producing sources on prevailing ambient background levels and achievement of the World Health Organisation's recommended maximum noise levels in residential areas. Development proposals will be unacceptable where any resulting noise from new development would constitute a Statutory Nuisance under Part III of the Environmental Protection Act 1990 or where the noise impacts, although not sufficient to constitute a Statutory Nuisance, would nonetheless have an unreasonable adverse effect on amenity.

5.329 The impact from potential noise producing sources is dependent on the type and scale of the development proposed. This, in turn, will govern the type of noise assessment that will be necessary.

Sensitive Uses

5.330 Development of sensitive uses within close vicinity of an existing potentially polluting development such as a waste water treatment or sewage works are likely to be considered inappropriate development as it is likely to lead to amenity issues such as odour, noise and vermin and potentially statutory nuisance. This can also be an issue in areas where speculative development of sensitive uses such as housing, can lead to the loss of land for expansion of existing waste water facilities. Therefore careful consideration, in consultation with the necessary bodies, must be given to the proximity of sensitive receptors, the likelihood of complaints and any implications on health. Whilst a 'buffer' is difficult to determine as cases will differ, 200 metres is considered a reasonable distance to identify potential issues. Adverse effects can sometimes occur beyond 200 metres however whether an assessment is required will be a matter of judgement.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 32 - Despoiled, Degraded, Derelict, Contaminated and Unstable Land

Policy 32

Despoiled, Degraded, Derelict, Contaminated and Unstable Land

Development will not be permitted unless the developer can demonstrate that:

- a. any existing despoiled, degraded, derelict, contaminated or unstable land issues can be satisfactorily addressed by appropriate mitigation measures prior to the construction or occupation of the proposed development;
- b. the site is suitable for the proposed use, and does not result in unacceptable risks which would adversely impact on the environment, human health and the amenity of local communities; and
- c. all investigations and risk assessments have been undertaken by an appropriately qualified person.

5.331 New development can provide an opportunity to address the risk associated with despoiled, derelict, degraded, contaminated or unstable land by bringing about its improvement through remediation.

5.332 Despoiled land is land which has been affected by the removal of material assets i.e. mineral resources which have affected the condition of the land. Degraded land is land that has lost some degree of its natural productivity due to human-caused processes. Derelict land is land that has become damaged by industrial or other development possibly with the remains of previous buildings and structures upon it. Such land requires remediation to make it suitable for a new land-use. Within County Durham significant areas of these types of land have previously been subject to remediation by the council following the closure of coal mines and other heavy industries.

5.333 Contaminated land can be regarded as any land which is in such a condition by reason of substances in, on or under the land, that it can cause a risk to human health, property or the wider environment. Contaminated land can arise from a number of sources typically associated with some types of industrial and manufacturing uses such as gas, coke, chemical and steel works. While it is more likely to arise in former industrial areas, it can also occur in other locations, including in the countryside.

5.334 The effects of land instability may result in landslides, subsidence or ground heave. Failure to deal with land stability issues could cause risks to human health, local property and associated infrastructure, and the wider environment. Within County Durham the principle issue which relates to ground instability relates to past coal mining. Large parts of County Durham have been identified by the Coal Authority as 'Development High Risk Areas' and 'Development Low Risk Areas' due to the known occurrence of coal mining legacy issues and related hazards. In these areas, coal mining legacy issues have the potential to create unstable land and risks to surface development and it is essential for developers to demonstrate that new development will be safe and stable⁽¹⁰⁹⁾.

109 Please refer to the Map A - Coal Mining Legacy Map in the policies map document. This map shows the extent of the 'Development High Risk Areas' and 'Development Low Risk Areas' in County Durham. Further information about the Coal Authority's Risk Based Approach can be found on the Coal Authority's website: [Planning applications: Coal Mining Risk Assessments](#).

5.335 When new development is proposed it is essential that the developer undertakes investigations and risk assessments and undertake any necessary remedial measures to ensure that any despoiled, degraded, derelict, contaminated and unstable land issues are satisfactorily addressed. The possibility of contamination and stability issues should always be considered when the proposed development introduces vulnerable end uses, such as housing.

5.336 Where land is contaminated or there is reason to believe contamination could be present the council will adhere to the Yorkshire and Humberside Pollution Advisory Council technical guidance on contaminated land⁽¹¹⁰⁾. In line with current best practice all aspects of investigations into possible land contamination should follow the guidelines within CLR11 Model Procedures for the Management of Land Contamination (Environment Agency 2004). Investigations will also need to consider the possibility that new pollution pathways may be introduced as a result of development activities, such as piling, drain laying and trenches for services and that new receptors may be introduced by the development proposed. Following remediation, contaminated land should be suitable for the proposed use, and as a minimum, it should not be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990.

5.337 Where there is reason to believe that land stability is an issue which must be taken into account in the determination of a planning application, a Slope Stability or Land Stability Risk Assessment will be required. In particular, where there is reason to believe that unstable land could be present due to coal mining legacy issues a Coal Mining Risk Assessment Report will be required to be submitted either as part of the planning application, or subsequently via condition whereby the council will consult the Coal Authority unless the development is exempt. There may also be a need for appropriate mitigation measures to ensure that there will be no future ground instability and public safety issues arising from the development. Within the rest of the coalfield the Coal Authority's Standing Advice will apply⁽¹¹¹⁾.

5.338 Despoiled, derelict, degraded, contaminated or unstable land can sometimes contain land of value to both the natural and built environment including habitats or species of nature conservation value and features of historical interest. In addition substantial parts of the county are above groundwater aquifers, and therefore development proposals should not create a pollution pathway into any potential water supply. A careful balance will need to be made in many cases between the benefits of remediation and the harm to other interests. Sufficient information will be needed at the planning application stage to ensure the impacts on the natural and built environment are fully understood.

5.339 It is recognised that remediating and mitigating despoiled, derelict, degraded, contaminated and unstable land may add substantially to the difficulty and cost of developing land. Consequently, the viability of development where there are high remediation costs will be a factor which will be taken into account.

110 Development on Land Affected by Contamination - Technical Guidance for Developers and Landowners and Consultants has been adopted for use by the County Council.

111 Guidance on Coal Mining Risk Assessments are set out in Appendix C.

How will the Policy be monitored?

Indicator:

1. Number of eligible schemes that are supported by appropriate investigations.

Target:

1. 100%.

Meeting the Challenge of Climate Change, Flooding and Coastal Change

5.340 One of the objectives of the Sustainable Community Strategy (SCS) is to mitigate the impact of, and adapt to, climate change. Addressing climate change is of importance for sustainable development and a key priority of the National Planning Policy Framework (NPPF). We therefore need to encourage the prudent use of non-renewable resources, contribute to reducing emissions and stabilising climate change (mitigation) and take into account the unavoidable consequences (adaptation). However, addressing climate change is multi-faceted and cannot be addressed through a single policy or plan. Reducing carbon emissions and adapting to the effects of climate change therefore underpins every aspect of planning, helping to support regeneration and improve the health and quality of life of everyone in County Durham. Climate change mitigation and adaptation must therefore be integrated throughout the Plan.

5.341 The NPPF sets out a positive approach in order to secure radical reductions in greenhouse gas emissions. It is made clear that decisions should be taken in line with the 2008 Climate Change Act, which has the provision to reduce carbon dioxide emissions by 80% by 2050 and by 34% by 2020. We are aiming for Carbon Neutral by 2050 with significant progress by 2030⁽¹¹²⁾. The NPPF also states that development should avoid increasing vulnerability to a range of impacts arising from climate change including flood risk, coastal change, water supply and changes to biodiversity and landscape.

5.342 The Plan can make a major contribution to mitigating and adapting to climate change by shaping new and existing developments in ways that reduce carbon emissions and positively build community resilience to problems such as extreme heat or flood risk. It can do this by ensuring that new development is located to reduce the need to travel and support the fullest possible use of sustainable transport. It should be designed in a way that limits carbon dioxide emissions, uses decentralised and renewable or low carbon energy and minimises vulnerability to future climate impacts.

Policy 33 - Renewable and Low Carbon Energy

Policy 33

Renewable and Low Carbon Energy

Renewable and low carbon energy development in appropriate locations will be supported. In determining planning applications for such projects significant weight will be given to the achievement of wider social, environmental and economic benefits.

Proposals should include details of associated developments including access roads, transmission lines, pylons and other ancillary buildings. Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased. Where necessary, this will be secured by bond, legal agreement or condition.

5.343 We will seek to contribute to reducing our energy dependence on external sources and encourage the development of an ever widening range of renewable energy schemes. To increase awareness of these schemes we will continue to form working partnerships with academic and industrial organisations.

112 [Climate emergency.](#)

5.344 The development of renewable sources of energy makes a valuable contribution to tackling the rate of climate change, enabling us to live in a more sustainable manner, and helps to reduce our reliance on fossil fuel derived energy provision from abroad. We recognise the wide ranging opportunities for accessing renewable energy that exist within County Durham and will seek to make full use of those opportunities. However, their exploitation must be carefully weighed against the need to protect our unique built and natural environment and heritage assets.

5.345 The Energy Act 2013 sets out the legislative framework for delivering secure, affordable and low carbon energy. In addition, the Clean Growth Strategy (2017), promotes ambitious economic and environmental policies to mitigate climate change and deliver clean, green growth. The document sets out the Government's commitment to meet 15% of the UK energy demand from renewable resources by 2020 and that this overall obligation includes three sub-targets: 30% in electricity; 12% in heat; and 10% in transport. Nonetheless MPs on the Energy and Climate Change Committee have warned that, on its current course, the UK will fail to achieve its 2020 renewable energy targets.

5.346 County Durham has the capacity for a wide range of renewable energy schemes which may allow us to exceed the 15% target baseline set by the Government, subject to environmental constraints and the impact on communities. Currently there is in excess of 200MW of renewable electricity operational or approved in County Durham. Any such figure is a snapshot in time and will constantly change over the period of the Plan.

5.347 Whilst most renewable technologies currently within the county are electricity generators such as wind and solar photovoltaics (PV), renewable heat technologies form an essential part of our carbon reduction strategy, with solar thermal panels, biomass and heat pumps potentially having a substantially positive impact by displacing fossil fuels used for heating and hot water. Further opportunities include the potential to utilise the significant deep geothermal resource in Weardale and along the Butterknowle Fault and to investigate the use of mine water as a potential source of low carbon heating in appropriate areas. We are also engaged in examining the potential for low carbon district energy within Durham City. We will continue to work with partners to investigate and drive forward emerging and innovative opportunities around low carbon and renewable energy technologies as we seek to move to a secure, low carbon society and economy.

5.348 We will continue to work with and support businesses, communities and individuals who wish to develop their own renewable or low carbon scheme, especially those communities in rural areas not connected to the gas network. Community benefits associated with renewable energy schemes can help to give a community a sense of ownership and address their concerns over development. We will consider the community benefits attached to developments, such as the provision of local employment, community funds and cheaper local electricity rates to alleviate fuel poverty where the community fund or other benefits are directly related to the development. In some cases the benefits to the community may be more direct for instance when a renewable energy scheme is a community-led initiative, again this will be considered when determining a proposal.

5.349 The restoration of sites once operations have ceased also needs careful consideration. Where relevant, planning applications should clearly set out the length of time that the development will be in place. Some developments will also have conditions attached to their planning permission imposing a time limit and requiring the restoration of the site. In addition, a restoration or performance bond may be required to ensure that the site is appropriately restored post decommissioning. Restoration means that all development, including ancillary infrastructure, footings and access tracks should be removed from the site and any soils and vegetation restored, to ensure the land is returned to the condition it was in before the development. The generic provisions of this policy especially in relation to associated development and restoration apply to all renewable energy developments including the development of wind turbines. Other specific issues relating to the development of conventional wind turbines are covered by Policy 34 (Wind Turbine Development).

How will the Policy be monitored?**Indicator:**

1. Energy generated from renewable sources (GWh).

Target:

1. Increase above the baseline figure (2018) (529.21 GWh).

Policy 34 - Wind Turbine Development**Policy 34****Wind Turbine Development**

Wind turbine development will only be permitted in the areas identified as suitable for development on the policies map and where the applicant is able to demonstrate that, following consultation, those planning-related impacts identified by any affected local communities have been fully addressed and that the proposal has their backing. In those circumstances, planning permission will be granted unless:

- a. there would be unacceptable harm, individually or cumulatively, to the amenity of local communities or nearby residents, due to noise, traffic or visual intrusion;
- b. in respect of the visual amenity of individual residential properties, any proposed turbine would be located at a distance of less than 6 times its overall height of the property, unless it can be demonstrated that it would not be overbearing;
- c. in respect of shadow flicker, any proposed turbine would be located at a distance of less than 10 times its rotor diameter from a susceptible dwelling house, community facility or workplace, unless it can be demonstrated that shadow flicker would not occur, or would be prevented from occurring;
- d. there would be unacceptable harm individually or cumulatively to priority habitats or species⁽¹¹³⁾;
- e. there would be unacceptable harm individually or cumulatively to the character of the landscape;
- f. there would be any adverse impacts on radar and other aviation and navigation systems which are not capable of being acceptably mitigated;
- g. there would be an unacceptable adverse impact on TV reception, communications links or telecommunications systems which is not capable of being acceptably mitigated;

113 As defined by NPPF: 'Species and Habitats of Principal Importance included in the England Biodiversity List published by the Secretary of State under section 41 of the Natural Environment and Rural Communities Act 2006.'

- h. there would be unacceptable harm either individually or cumulatively to the significance of a heritage asset or its setting; or
- i. any proposed wind turbine would be located within topple distance plus 50 metres or its height x1.5 (whichever is the lesser) of a motorway, trunk road or railway line or topple distance plus 10% of an A, B or C class road, or if its blades would over-sweep a public right of way.

Neighbourhood Plans

In addition to the areas identified in this Plan, permission will be granted for wind turbine development where it is in an area clearly identified as suitable for such development in a neighbourhood plan, and the development meets the other provisions of this policy⁽¹¹⁴⁾. Support will also be given to community-led initiatives for renewable and low carbon energy, including developments outside areas identified in the development plan or other strategic policies that are being taken forward through neighbourhood planning.

Extensions and Alterations to Existing Wind Turbine Development

Extensions to existing wind farms will be supported provided that the proposals are in keeping with the character of existing development and meet the provisions of criteria (a) to (i).

Proposals to re-commission existing wind turbines or to re-power wind developments, replacing existing turbines with newer and/or larger turbines, will be supported provided that the development meets the other provisions of this policy, taking full account of the effects of the extended timescale.

In the case of localities containing more than one wind turbine development, proposals for an integrated approach to the design and phasing of their re-powering will be supported.

Wind Turbine Development Affecting the North Pennines Area of Outstanding Natural Beauty (AONB)

Development of micro and small turbines within the AONB will be permitted in the suitable areas identified on the policies map for their benefits to the economy, rural communities and wider environment, provided that it meets the other provisions of this policy.

Wind turbine development outside of the AONB which has an unacceptable impact on views within the AONB, or important views of the AONB, will not be permitted. Wind turbine development affecting the Yorkshire Dales National Park will be subject to the same considerations.

5.350 Wind energy makes up the majority of operating renewable energy generating capacity within the county (around 68% of operational and approved capacity). Changes in Government policy and support mechanisms for wind development have led to a reduction in the number of new proposals for larger scale schemes coming forward, but there continues to be some interest from this sector, particularly for single turbines. The Plan identifies areas that are suitable for different scales of wind energy development and criteria against which all applications will be assessed.

¹¹⁴ This does not preclude the necessity for Environmental Impact Assessment and other site specific environmental assessment.

5.351 Considerable new capacity for wind energy has been developed in County Durham over the last ten years. At January 2016, over 142 MWh⁽¹¹⁵⁾ of installed capacity was operational or permitted. This equates to around 281 GWh per annum (assuming a 22% load factor) which represents over 14% of the County's overall electricity use or 35% of its household electricity use. The majority of this, and all of the commercial scale development, is within areas which were identified as Broad Areas of Least Constraint (BALC)⁽¹¹⁶⁾.

5.352 Current Government policy⁽¹¹⁷⁾ is that local authorities should only grant planning permission for wind energy development involving one or more turbines if the development site is in an area identified as suitable for wind energy development in a local or neighbourhood plan. This applies to development of any scale requiring planning consent. If any further development of wind energy is to be accommodated in the county, it is therefore necessary for the Plan to identify suitable areas.

Suitable Areas

5.353 The suitability of an area to accommodate wind energy development in its various forms, from small scale single turbines to wind farms of larger turbines depends on a number of factors. The Wind Turbine Evidence Paper⁽¹¹⁸⁾ contains a county-wide analysis of the main technical and environmental factors that can constrain the potential for the development of turbines of different sizes. This is not exhaustive, dealing only with those constraints that can be readily mapped at a strategic scale. The size ranges used in the analysis were based on development proposals that have come forward in the area in recent years:

- Micro - under 11 metres in height;
- Small - 11-25 metres in height;
- Small-Medium - 26-40 metres in height;
- Medium - 41-65 metres in height;
- Medium-Large - 66-100 metres in height; and
- Large - 101-136 metres in height.

5.354 The Wind Turbine Evidence Paper also contains a landscape sensitivity study which analyses the potential sensitivity of different landscape types and character areas to wind energy development in these size ranges, and the cumulative effects of any existing development in those areas. This was informed by the County Durham Landscape Character Assessment⁽¹¹⁹⁾. The Wind Turbine Evidence Paper explores a range of alternatives for identifying suitable areas for wind energy development having regard to landscape sensitivity, the mapped technical and environmental constraints, and the cumulative effects of existing development.

5.355 This analysis informed the identification of suitable areas for wind energy development of different sizes shown on the policies map document. Height is measure to blade tip. Suitable areas for small (11-25m) and small-medium (26-40m) turbines are identified as relatively extensive tracts of land. These areas are considered to be broadly suitable for the development of turbines in those size ranges subject to site-specific factors which will need to be assessed on a case by case basis.

115 Megawatt electric; electric output of a power plant in megawatts. The electric output of a power plant is equal to the thermal overall power multiplied by the efficiency of the plant.

116 Broad Areas of Least Constraint identified in the studies carried out by ARUP on behalf of the North East Assembly.

117 [House of Commons Ministerial Statements: Energy and Climate Change](#).

118 [Wind Turbine Evidence Paper](#) (2019).

119 [County Durham Landscape Character Assessment](#) (2008).

Suitable areas for medium and larger turbines (>40m) are identified as point symbols relating to existing turbines in that size range. These are indicative of the areas in which the re-commissioning of, or extension to, existing developments would be likely to be acceptable, subject again to site specific factors and informed by the landscape sensitivity study.

Assessment of Proposals

5.356 In the development of wind turbine applications, positive, proactive and meaningful engagement with the affected communities will be expected from an early stage. From 17 December 2013, pre-application consultation with local communities became compulsory for the 'more significant' onshore wind applications⁽¹²⁰⁾. Current government guidance also states that local authorities should only grant planning permission for wind energy development involving one or more turbines if, following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing. Whether the proposal has the backing of the affected local community is a matter of planning judgement and will be made on a case by case basis.

5.357 A number of issues influence the location of wind turbine developments and the acceptability of planning application proposals. Key issues to be considered include: residential amenity in respect of visual impact; noise and shadow flicker; biodiversity, ecology and ornithology; highways; heritage; aviation; Public Rights of Way; landscape and visual impacts; impacts on designated landscapes such as the North Pennines AONB; and impacts upon TV reception and telecommunications links.

5.358 Due to their operation wind turbines create noise. Government guidance is clear on the methodology to be used to assess wind turbine development⁽¹²¹⁾. The council take seriously the potential for noise impacts from all forms of new development on local communities and those working in the vicinity.

5.359 While there is no right to a view, the effects of large moving structures in close proximity to a residential property can be overbearing. This will depend partly on measurable factors such as scale and proximity, partly on contextual factors such as the screening effects of terrain, buildings or vegetation, the orientation of the windows of habitable rooms or garden areas, and partly on the subjective response of the individual viewer. Contextual factors can be assessed on a case by case basis but we believe that in order to give some certainty to developers and those who may be affected by development, it is useful to establish at what kind of distance range in open views it is likely to consider a tall structure to be overbearing. We accept that any figure given for this will be a point on a continuum rather than an obvious threshold on which there will be a high degree of consensus. In identifying a figure of six times tip height we have had regard to past decision-making, both our own and those of a range of planning appeal decisions. The vast majority of the 180 turbines currently operating or approved within the county are in excess of that distance from the nearest non-involved property.

5.360 Shadow flicker is the effect caused when an operating turbine is located between the sun and a receptor, such as a dwelling or place of work. The effect occurs when the shadow of the rotating blades falls over the dwelling causing the light intensity within affected rooms to fluctuate. Shadow flicker can be controlled either passively, by maintaining an appropriate distance from a susceptible property, typically around 10 times the diameter of the rotor, or actively by installing management systems which shut down a turbine during periods when shadow flicker could occur. Although this

120 By virtue of the [Town and Country Planning \(Development Management Procedure and Section 62A Applications \(England\) \(Amendment\) Order 2013 \(SI 2932\)](#). This is for onshore wind development involving more than two turbines or any turbine with a hub height exceeding 15 metres height and should be in line with our Statement of Community Involvement (SCI).

121 The [National Planning Practice Guidance section on Renewable and Low Carbon Energy](#) Paragraph 015 Reference ID: 5-015-20140306 states that 'The Assessment and Rating of Noise from Windfarms' (ETSU-R-97) should be used, and that the Institute of Acoustics good practice guidance on noise assessment is recognised as a supplement to ETSU-R-97 and is industry good practice'.

issue is routinely dealt with well in larger scale developments, proposals continue to come forward for smaller developments where the potential for shadow flicker has not been assessed or where reference is made to acceptable levels of shadow flicker based on standards from other countries. There is no UK standard for acceptable levels of shadow flicker. We believe that shadow flicker can and should be avoided, either by passive or active means, and that developments which fail to do so should not be permitted.

5.361 All wind turbine applications will be subject to and must be compliant with other relevant policies within the Plan and any other relevant planning documents. All turbine applications will require an adequate level of ecological survey and assessment including up to Environmental Impact Assessment level when required. Any ecological data submitted in support of a turbine application will need to be compliant with all relevant protected species and habitats legislation including groundwater habitats. Ecological surveys submitted in support of turbine applications will need to be compliant with the most up to date industry guidance in terms of timing, survey nature, duration and content and must provide a comprehensive assessment of the biodiversity value of the site as well as a clear understanding of all impacts on biodiversity the application may have. This may mean that surveys and assessments will have to extend outside of the application area when it is necessary to provide comprehensive data and to comply with legislation.

5.362 In relation to the impact on designated and non-designated heritage assets, proposals should not cause substantial harm to the significance of such assets including their setting unless such harm is proven necessary to secure significant public benefits. Proposals which result in less than substantial harm would be weighed against the public benefits of the development. Opportunities to mitigate harm and enhance understanding of the historic environment will be encouraged. The potential impact of proposals within the identified suitable areas will be assessed on a case by case basis, through the development management process.

5.363 In the case of aviation, any adverse impact upon radar, either civil or military, should be avoided, and mitigation should be agreed with the airport or operator involved. Wind energy development can cause issues with regard to airspace and radar, and the UK has a densely populated airspace. This can lead to objections on radar grounds from a variety of sources from the Royal Air Force, Ministry of Defence to NATS (National Air Traffic Control Services) and the airports themselves. The council will work with developers to reach positive solutions where possible with the objectors concerned. In addition to air traffic radar, wind turbines may affect other types of systems such as weather radar operated by the Meteorological Office, and seismological recording equipment. It is important to mitigate these effects and regard should also be had to Policy 29 (Safeguarded Areas).

5.364 The identification of stand-off distances from highways and footpaths is based on both the risk of harm and the consequences of harm. Highways England/Department for Transport (DfT)⁽¹²²⁾ recommend that commercial turbines should be set back a distance equal to their height plus 50 metres or their height x 1.5, whichever is the lesser from motorways and trunk roads. It is considered that this should also apply to railway lines for safety. Stand-off distances of topple height distance (THD)⁽¹²³⁾ to blade tip plus 10% are generally observed for other public highways. We consider this to be an appropriate set back for A class (non-trunk), as well as for B and C class roads. In situations where it is impossible to achieve this distance from minor roads, where the risks of harm are lower, nacelle/hub components should generally be outside THD to the highway. Turbines are considered to pose a very low risk to users of public rights of way. A set back equivalent to the area over-swept by the rotor blades prevents footpath users from being intimidated by the moving structure.

122 [DfT Circular 02/2013 'The strategic road network and the delivery of sustainable development'](#) (2013).

123 Topple distance is the fall over distance.

5.365 Due to their operation wind turbines can interfere with telecommunication links and TV reception. Early consultation should be sought with the Office of Communications, who hold a central register of all civil radio communications operators in the UK and act as a central point of contact for identifying specific consultees relevant to a site. We believe that any impact on telecommunications systems can and should be avoided, and that developments which fail to do so should not be permitted.

5.366 As tall moving structures, wind turbines inevitably dominate their immediate visual environment and can be prominent features in wider views. Where wind farms or scattered single turbines are developed in proximity to each other they can create more extensive tracts of what are sometimes described as ‘wind farm landscapes’. The potential cumulative effect of existing and new wind turbines on the character of the landscape has informed the selection of suitable areas. The approach taken has been to seek to avoid the further extension or coalescence of existing wind farm landscapes and to avoid a substantial intensification of development in those areas. It is nevertheless likely to be the case that areas where development has taken place in the past will be the best places to locate development in future should the need arise. Re-commissioning wind turbines, i.e. extending the life of existing machines, can help maintain current capacity. Re-powering wind developments, i.e. replacing turbines with newer, often larger and more efficient machines, can increase operational capacity. Where carefully considered, extensions to, or re-commissioning or re-powering of, existing wind farms should be able to be done without unacceptable additional effects. In the case of proposals involving more than one wind development, a master-planning exercise will be required to demonstrate that there would be no unacceptable effects. Wind development is a temporary use of land and its impacts are assessed on that basis. The de-commissioning of wind turbines and the restoration of the site are generally secured by condition. In determining whether to extend the life of development through re-commissioning or re-powering, care will need to be taken to ensure that the effects of the extended timescale are fully considered.

5.367 England’s AONBs vary in their character and in their sensitivity to different forms of development. Conserving the relative wildness and remoteness of the North Pennines landscape is fundamental to the purposes of its designation. This wildness, coupled with the openness of the landscape and high degree of inter-visibility across the high ground of the AONB where much of the better wind resource lies, makes it highly vulnerable to the impacts of wind energy development. The sensitivity analysis contained in the the Wind Turbine Evidence Paper identifies relatively widespread sensitivity to small-medium and larger scales of turbine in the AONB, but also identifies lower sensitivity in some areas to small turbines (<26 metres). Potentially suitable areas for small scale development within the AONB are identified on the policies map. While identified as suitable for turbines up to 25 metres range, in many cases the appropriate scale for turbines in these landscapes will be towards the lower end of the assessed scale (11-25 metres) rather than the maximum of 25 metres.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.
2. Renewable energy capacity of approved and completed schemes.

Target:

1. None upheld at appeal.
2. Increasing trend above the baseline figure (2018).

Policy 35 and Policy 36 - Water Management and Water Infrastructure

Policy 35

Water Management

Flood Risk and Sustainable Drainage Systems

All development proposals will be required to consider the effect of the proposed development on flood risk, both on-site and off-site, commensurate with the scale and impact of the development and taking into account the predicted impacts of climate change for the lifetime of the proposal. This includes completion of a Flood Risk Assessment (FRA) where appropriate. Development will not be permitted unless:

- a. in the functional floodplain (flood zone 3b), as identified in the Strategic FRA, it is water compatible or essential infrastructure;
- b. in flood zones 2 and 3a it passes the Sequential Test, and if necessary the Exceptions Test, as required by national policy; and
- c. it can be proven through a FRA that the development, including the access, will be safe, without increasing or exacerbating flood risk elsewhere, any residual risk can be safely managed and where possible will reduce flood risk overall⁽¹²⁴⁾.

Regarding Surface Water Flood Risk:

- d. for major developments⁽¹²⁵⁾ the management of water must be an intrinsic part of the overall development;
- e. on all new development there is no net increase in surface water runoff for the lifetime of the development. Where greenfield sites are to be developed, the runoff rates must not exceed and where possible should reduce the existing greenfield runoff rates⁽¹²⁶⁾. On previously developed land, as close as practicable to a greenfield rate must be achieved. In exceptional cases where the developer can satisfactorily demonstrate that greenfield run-off rates are unachievable, a betterment rate (which should be a minimum of 50% of the existing site run-off rate) will be agreed with the council⁽¹²⁷⁾. Surface water run-off must be managed at source wherever possible and disposed of in the following order:
 1. to an infiltration or soak away system.
 2. to a watercourse open or closed.
 3. to a surface water sewer.
 4. to a combined sewer.

124 In flood zone 1 an FRA will only be required for sites over one hectare, where it has been identified as being within in a critical drainage area or where proposed development or a change of use to a more vulnerable class may be subject to other sources of flooding.

125 As defined in the Glossary.

126 Existing greenfield run off rates for different areas in the county are set out in the [Surface Water Management Plan](#) (2011).

127 In line with the County Durham [Surface Water Management Plan](#) (2011) and the Durham County Council [Sustainable Drainage Systems](#) (SuDS) Adoption Guide (2016) or any subsequent iterations.

Disposal to combined sewers should be the last resort once all other methods have been clearly explored and evidenced;

- f. part of the development site is set aside for surface water management and uses measures that do not increase flood risk elsewhere. These measures will supplement green infrastructure networks, thereby contributing to mitigation of climate change, water quality and flooding as an alternative to, or complementary to, hard engineering;
- g. where sites may be susceptible to over land flood flows (as shown in the Strategic Flood Risk Assessment) or lie within a Surface Water Risk Area (as shown in the Surface Water Management Plan) then developers must put adequate protection in place;
- h. the development incorporates a Sustainable Drainage System (SuDS) to manage surface water drainage. Where SuDS are provided arrangements must be put in place for their whole life management and maintenance. Where appropriate' SuDS should contribute to the provision of Green Infrastructure and biodiversity net gains; and
- i. all new development with culverts running through the site must seek to de-culvert watercourses for flood risk management and environmental benefit, unless it can be clearly demonstrated that this is not practical.

Where improvement works are required to ensure that the drainage infrastructure has sufficient capacity to support proposed new development, developer contributions will be required in accordance with Policy 25 (Developer Contributions).

Water Quality

The quantity and quality of surface and groundwater bodies shall be protected and where possible enhanced. All commercial, industrial and major residential development must demonstrate control of the quality of surface water runoff during construction and for the lifetime of the development. New development will be required to incorporate appropriate water pollution control measures.

Development adjacent to, over or in a watercourse should consider opportunities to improve the river environment and water quality.

Development which could adversely affect the quality or quantity of surface or groundwater, flow of groundwater or ability to abstract water will not be permitted unless it can be demonstrated that no adverse impact would occur or mitigation could be put in place to minimise this impact.

Policy 36

Water Infrastructure

Disposal of Foul Water

In the consideration of development proposals, the hierarchy of drainage options that must be considered and discounted for foul water are (in the following order):

1. connection to the public sewer;

2. package sewage treatment plant (which can be offered to the Sewerage Undertaker for adoption⁽¹²⁸⁾; and
3. septic tank (which must drain into an appropriate soak away and not discharge directly into a watercourse).

Applications involving the use of non-mains methods of drainage (including Septic Tanks/Cess Pits) will not be permitted in areas where public sewerage exists.

Sewage and Waste Water Infrastructure

Proposals for new or extensions/improvements to existing water treatment, waste water, sludge or sewage treatment works will be permitted, unless the adverse impact of development outweighs the need for greater capacity and other benefits.

Flood Defence Infrastructure

Proposals for additional flood defences will be permitted only where it can be demonstrated that the proposal represents the most sustainable response to a particular threat and demonstrates long term maintenance can be achieved.

Proposals which seek to mitigate flooding, create natural flood plains or seek to enhance and/or expand flood plains in appropriate locations will be permitted.

5.368 The water environment is vital for its contribution to the county's biodiversity and is important to the quality of life of people both within and outside the county. Development must be within environmental limits and carefully consider how the water environment will be affected. How wastewater can be safely disposed of, the protection of vulnerable aquifers (including Environment Agency designated Drinking Water Protected Areas (DrWPAs) and Groundwater Source Protection Zones⁽¹²⁹⁾) and the prevention of increased flooding are key considerations in developing sustainable communities.

5.369 The Environment Agency is the regulator for licensing abstractions, pollution control and the quality of the water environment, whilst Northumbrian Water Limited (NWL) is responsible for water services and sewerage. The council has been working closely with the Environment Agency and NWL, and we will continue to collaborate with them and other infrastructure providers to inform future decision making.

5.370 The council as the Lead Local Flood Authority (LLFA), is responsible for developing, maintaining and applying a strategy for local flood risk management and for maintaining a register of flood risk assets. We also have lead responsibility for managing the risk of flooding from surface water, groundwater and all watercourses that are not classified as a main river (which are the responsibility of the Environment Agency).

5.371 As the LLFA, we are a statutory consultee for surface water flood risk on all sites and ensure that the proposed drainage system is suitable to the geological conditions and applies the principles of the surface water management train and meets the National Standards for Sustainable Drainage⁽¹³⁰⁾ covering design, construction, operation and maintenance. The council will consider adopting SuDS

128 Package plants must comply with the Sewers for Adoption standards in order for them to be adopted. [Developer sewerage services](#).

129 [Environment Agency Mapping](#).

130 [National Standards for Sustainable Drainage](#) (2015).

on major developments providing they meet specific design and maintenance criteria, as set out in the Durham County Council Sustainable Drainage Systems (SuDS) Adoption Guide, which also provides guidance on applying the surface water management train⁽¹³¹⁾.

5.372 The Water Cycle Study (WCS), (2018)⁽¹³²⁾ was carried out to ensure that the growth envisaged for the county can be supported and is not hindered by water infrastructure and resources. This has informed the Infrastructure Delivery Plan (IDP) as well as allocations in this Plan. Water shortage is a great concern in relation to climate change, however the WCS identifies that due to the presence of Kielder Reservoir, Northumbrian Water is confident that 'both of the Company's water resource zones have a supply surplus across the full planning period to 2060'.

5.373 The Strategic Flood Risk Assessment (SFRA)⁽¹³³⁾ provides an overview of the areas susceptible to flooding and the risk posed by flooding from rivers, the North Sea, groundwater and surface water runoff. The SFRA assessed the risk at the time it was prepared, as well as the increased risk from a number of factors including a changing climate and the construction of new development. It is also necessary to take into account updated Environment Agency flood maps which may include changes to flood zones 2 and 3, which have occurred since the SFRA was completed together with up to date climate change allowances which can be found on the Met Office-UK Climate Projections web page.

5.374 The Surface Water Management Plan (SWMP)⁽¹³⁴⁾ contains more detail and informs and interacts with the Plan by giving action plans and priorities for each area, in line with our proactive approach to flood risk and climate change. It identifies Surface Water Risk Areas (SWRAs) and has an action plan for these and other issues. Additional attenuation measures are required within these areas including decreasing the volume of surface water entering the combined sewer system by managing this on-site or disposing to a watercourse where flood risk would not be increased. The removal of surface water from combined sewers has two benefits, the reduction in downstream sewer flooding risk and the reduction in unnecessary treatment of surface water at sewage treatment works (thereby increasing available capacity). The majority of SWRAs are in the east of the county or around the urban conurbations. Critical Drainage Areas have also been identified and development in these areas will need careful consideration including a Flood Risk Assessment where appropriate.

5.375 It is acknowledged that over the life time of the Plan, groundwater levels in some areas will increase, due to wetter climates and changes to mine water pumping regimes. The Coal Authority in partnership with the Environment Agency has developed a groundwater screening tool which seeks to raise awareness of a variety of mining and groundwater constraints which could affect development, and to influence the type of SuDS which may be used, to ensure they are appropriate and effective, both now and in the future. This screening tool has been introduced to provide developers and competent authorities with a better understanding of the drainage implications they will need to consider within new development proposals, and if necessary to seek pre-consultation advice with the Coal Authority and/or the Environment Agency. The screening tool is currently part of a North East pilot and is being tested by local authorities and Northumbrian Water Group which will be reviewed in 2019. The mapping and guidance document can be found on the Coal Authority webpage⁽¹³⁵⁾.

5.376 The River Tyne, Wear and Tees Catchment Partnerships were established under Defra's catchment based approach in 2014. The partnerships include representatives from a range of organisations, including the Environment Agency, local authorities, Northumbrian Water, the Rivers Trusts as well as a number of other stakeholders. Their purpose is to support flood management, environmental enhancement and water quality improvement at a catchment scale. This allows partners

131 <https://www.durham.gov.uk/article/7363/Sustainable-drainage-systems>.

132 <https://www.durham.gov.uk/article/1953/Strategic-Flood-Risk-Assessment>.

133 <https://www.durham.gov.uk/article/1953/Strategic-Flood-Risk-Assessment>.

134 <https://www.durham.gov.uk/article/1951/Managing-the-county-s-flood-risk>.

135 <http://mapapps2.bgs.ac.uk/coalauthority/home.html>.

to work collaboratively across administrative boundaries, avoid competing for resources and maximise the benefits of projects being delivered on the ground. This approach is welcomed and encouraged when looking at wider flood risk implications and mitigation opportunities. More information about the role of the partnerships and current project delivery can be found on the websites of their respective hosts: the Tyne, Wear and Tees River Trusts⁽¹³⁶⁾.

Flood Risk

5.377 In County Durham flood risk is mainly fluvial, from rivers and watercourses, although we are seeing increasing events of surface and ground water flooding due to climate change and development pressure. The SFRA assesses all sources of flood risk including fluvial, surface water, ground water, sewer and highway drainage flooding. National policy is clear that planning policy should minimise vulnerability and provide resilience to impacts arising from climate change and avoid inappropriate development in areas at risk of flooding, which is primarily done through sequential/exception testing in line with National Planning Practice Guidance. Where there is the possibility of any flood risk to a proposed development site, or the potential for flood risk impact on other sites, a site-specific Flood Risk Assessment will be required, once it has passed the sequential and exception test. The sequential test can also be used to inform site layout by locating the most vulnerable elements of a development in the lowest risk areas as well as building in resilience into a site's design for example through raised floor levels or dry pedestrian access routes.

Sustainable Drainage Systems (SuDS)

5.378 Green Infrastructure (GI) can be an important flood management and flood mitigation mechanism as well as providing benefits for communities, wildlife, biodiversity, ecological networks and helping to reduce the impact of climate change. Similarly SuDS can make a contribution to the GI provided on a site. If surface water is removed from combined sewers it increases their capacity, therefore reducing the risk of sewer flooding downstream and reducing the unnecessary treatment of surface water at sewage treatment works (thereby increasing available capacity). This is particularly important to development proposed in key SWRAs, as identified in the SWMP.

5.379 SuDS and GI can also prevent pollution by filtration of surface water run-off thereby contributing to improvements in the quality of watercourses in line with legislation thereby contributing to the Water Framework Directive objectives. The Northumbria River Basin Management Plan prepared by the Environment Agency is the key over-arching source of information on the water environment including the condition of water bodies and measures to help meet Water Framework Directive objectives⁽¹³⁷⁾. Developers will be encouraged to explore how SuDS within their scheme can achieve reductions to wider catchment flood risk issues where possible. This reduction in flow rate is termed by the industry as 'Betterment'.

5.380 SuDS developments in the south east of the county may fall within the aerodrome safeguarding zone as detailed in Policy 28 (Safeguarded Areas). Proposals within this zone will need to consider the risk of potential bird strikes and choose appropriate SuDS techniques which will minimise any risks.

Water Quality

5.381 It is important to consider the protection of water resources from pollution particularly when assessing any development that has the potential to adversely affect water quality either above or below ground, directly or cumulatively. The Magnesian Limestone Principal Aquifer underlies the eastern part of the county and is a source of drinking water for both NWL and Hartlepool Water

136 <http://www.tynecatchment.org> , <http://www.wear-rivers-trust.org.uk/> and <http://teesriverstrust.org/>.

137 Emerging evidence from the Woodland Trust and Manchester University states that the planting of trees or woods in the right locations can bring about improvements in water quality of 90% and can also help alleviate certain types of flooding.

Company. It is therefore vital that this resource is protected. Pollution can affect groundwater for many decades and may be impossible to remove completely, even after the source of the pollution has been cleared up. The National Planning Policy Framework (NPPF) requires pollution prevention in new and existing development. Water quality assessments will be required for any physical modifications to a watercourse or any development which could adversely affect water bodies. Where appropriate, management plans will be required to demonstrate sufficient pollution prevention measures, including maintenance arrangements for agreed measures, have been incorporated into the development proposals. This can include commercial enterprises which discharge trade effluent or where potentially polluting materials are to be used/stored either during redevelopment works or as part of the new land use i.e. use of tanks to store chemicals or fuels.

5.382 Where development is in close proximity to a watercourse then opportunities to improve the river environment and water quality should be explored. This could include naturalising watercourse channels, improving the biodiversity and ecological connectivity of watercourses, safeguarding and enlarging river buffers with appropriate habitat or mitigating diffuse agricultural and urban pollution.

Sewage and Waste Water Infrastructure

5.383 NWL is the supplier of water and sewerage services for the county, looking after around 136 sewage treatment works. Changes in population distribution and economic growth over the Plan period will increase demand on sewage treatment and the disposal of waste water. We have been working closely with NWL and the Environment Agency to ensure there is adequate and timely provision of treatment works in areas identified for growth in the Plan. This is a key part of the Infrastructure Delivery Plan and the detail is contained in the WCS. In addition to these roles, Sewers for Adoption 8 allows Water and Sewerage Companies, in addition to the LLFA, to adopt SuDS going forward. The LLFA will remain a statutory consultee in relation to surface water flood risk.

5.384 Priority should be given, where possible, to accommodate any additional flows within existing sewage treatment works. Where new sewage treatment works are required there will need to be a balance between meeting higher discharge standards, the environmental benefits of the development and the protection of the existing environment and amenity.

5.385 Non-mains drainage systems, such as package treatment plants and septic tanks should only be employed in non-sewered areas. Where they are required, careful consideration of their siting and design will be required to ensure that there is no adverse impact upon ground water, water quality or existing ecosystems. It is advised that any new development proposing the use of a non-mains foul drainage system should be supported by a Foul Drainage Assessment (FDA) as a minimum. The form provides the information required to assess the development's impact, however in certain instances further justification and/or assessment may be required to ensure no detriment to the environment or quality of receiving water bodies.

5.386 Policy 31 (Amenity and Pollution) highlights that sensitive receptors, such as dwelling houses, should not be built in close proximity to existing sewage treatment works as this is likely to lead to amenity issues arising. A buffer has been provided in the policy to overcome these issues.

5.387 Increased demand for sewage treatment and higher water quality standards will mean that in the future there will be additional sludge (a by-product of the process) to be disposed of. Proposals for the recovery of sludge to produce beneficial end products will be encouraged where they can be located without significant adverse effects on local communities or the environment.

5.388 Whilst these policies are applicable to all forms of development, a policy addressing the specific requirements for Minerals and Waste proposals (the disposal of sewage sludge) will be contained in the future Minerals and Waste Policies and Allocations Development Plan Document. The policy approach to the Durham Coast is addressed separately in Policy 37 (Durham Heritage Coast and Wider Coastal Zone).

Works Carried Out To or Near a Watercourse

5.389 Any works carried out to, or near, a watercourse, either open or closed, may require Water Course Consent from the LLFA. Works within eight metres of a main river will require a Flood Risk Activities Permit from the Environment Agency.

5.390 Any culverting, de-culverting or works affecting the flow of a watercourse require the prior written consent of either the Environment Agency (for main rivers), or the council (for ordinary watercourses) under the terms of the Land Drainage/Water Resources Act 1991 and Flood and Water Management Act 2010. These regulatory bodies seek to avoid culverting and their consent for such works will not normally be granted except as a means of access.

How will Policy 35 (Water Management) be monitored?

Indicator:

1. Number of water bodies which show Water Framework Directive improvement as a direct consequence of new development.
2. Percentage of major developments which include SuDS.

Target:

1. An increasing trend.
2. 100%.

How will the Policy 36 (Water Infrastructure) be monitored?

Indicator:

1. Number of major developments permitted where connection to a mains sewer is not possible and an alternative solution has not been secured.

Target:

1. Zero.

Policy 37 - Durham Heritage Coast and Wider Coastal Zone

Policy 37

Durham Heritage Coast and Wider Coastal Zone

The council will seek to protect and enhance the Durham Heritage Coast and wider Coastal Zone. Development proposals within the Durham Heritage Coast or wider Coastal Zone, as defined on the policies map, or that have the potential to individually or cumulatively impact on their setting must:

- a. be appropriate in terms of scale, massing and design;
- b. not give rise to adverse impacts upon the tranquil or isolated character of the area;
- c. not increase the risk from climate change, flooding, erosion or land instability;
- d. demonstrate consistency with the protection, conservation and enhancement of its natural assets and heritage features; and
- e. not be inconsistent with the purposes of the Heritage Coast and objectives of the Heritage Coast Management Plan.

Development proposals within, or within the setting of, the Durham Heritage Coast or wider Coastal Zone which meet the above criteria and support appropriate public access, enjoyment and understanding of this resource will be permitted. Small scale proposals for agriculture, forestry, fisheries, the operation of the port or to meet community needs will be supported where appropriate.

Other types of development within, or within the setting of, the Durham Heritage Coast or wider Coastal Zone will only be permitted where they meet criteria (a) to (e) above and it can be clearly demonstrated that there are overriding social, environmental and/or economic benefits which will be derived from that particular proposal and that it cannot be accommodated outside of the wider Coastal Zone. Major development⁽¹³⁸⁾ within the defined Durham Heritage Coast is unlikely to be appropriate, unless it is compatible with its special character.

The council will also support:

- appropriate enhancement, management and restoration of the Heritage Coast and wider Coastal Zone having regard to the Heritage Coast Management Plan⁽¹³⁹⁾; and
- the extension of the Durham Heritage Coast to include the area around Dene Mouth, Blackhall.

5.391 The coastline of County Durham is a unique asset which comprises distinctive bays and headlands carved from the magnesian limestone and overlying clays unique to this area. The Durham coast stretches over 17 kilometres from the border with the City of Sunderland at Ryhope Dene in

¹³⁸ As defined in the glossary.

¹³⁹ [Heritage Coast Management Plan 2018 to 2025](#) (2018).

the north to Hartlepool south of Crimdon Dene. The majority of the area up to one kilometre inland from the cliff edge is undeveloped other than the port and coastal town of Seaham and Crimdon Caravan Park where development extends to the high water mark. It is this undeveloped area which contributes to the special character of the Heritage Coast.

5.392 The Durham coast is internationally important for nesting and migratory birds and rare limestone grasslands. Almost its entire length is designated as SAC, SSSI, SPA or Ramsar. Important species present include the Purple Sandpiper, Little Tern and the Durham Argus butterfly.

5.393 The limits of the wider Coastal Zone extend both seaward and landward from the coastline, reflecting the geographical extent of natural coastal processes and also human activities related to the marine environment. For the purposes of planning on the coast, the wider Coastal Zone is defined as the area of land between the mean low water mark on the seaward side and the coastal railway line, from the county boundary with Hartlepool to Hawthorn Junction south of Dawdon. To the north of this point, the wider Coastal Zone is defined as the cliff line as far as the Seaham Hall car park and then the B1287, as shown on the policies map. Development proposals in this area should only be undertaken on the basis of maintaining and enhancing its environmental capital in accordance with the principles of the Marine Policy Statement⁽¹⁴⁰⁾ and other principles of sustainable development. Development proposals relating to minerals and waste will be assessed through the appropriate minerals and waste policies which recognise the importance and level of protection afforded to this area.

5.394 The main purposes of the Heritage Coast are:

- to conserve, protect and enhance the natural beauty of the coastline, its terrestrial, coastal and marine flora and fauna and its heritage features;
- to encourage and help the public to enjoy, understand and appreciate these areas;
- to maintain and improve the environmental health of inshore waters affecting heritage coasts and their beaches through appropriate environmental management measures; and
- to take account of the needs of agriculture, forestry and fishing, and of the economic and social needs of the small communities on the coast.

5.395 Coastal management and planning is a strategic issue which requires an integrated approach. This is more formally termed Integrated Coastal Zone Management (ICZM). Accordingly the council works closely with partners and neighbouring planning authorities and the Marine Management Organisation (MMO) in planning and managing the coastal area. Decisions that affect or might affect the UK marine area must take into account the MMO's licensing requirements and should comply with the Marine and Coastal Access Act 2009 and any relevant adopted Marine Plan or UK Marine Policy Statement (MPS) to ensure the necessary considerations are included in the decision making process. There is further guidance on the MMO website⁽¹⁴¹⁾, including the emerging North East Marine Plan, access to the marine information system and the Planning Advisory Service soundness self-assessment checklist.

140 [UK marine policy statement](#) (2011).

141 <https://www.gov.uk/government/organisations/marine-management-organisation>.

5.396 The entirety of the Durham coastline has been assessed by the Shoreline Management Plan 2⁽¹⁴²⁾ as being at no significant risk of coastal change other than the specific area referred to as Red Acre Cliffs (near the Londonderry building, Seaham). National policy is clear that the planning system should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast.

5.397 The National Planning Policy Framework (NPPF) and the Marine and Coastal Act (2009) require local authorities to maintain, enhance and protect the character of the undeveloped coast, especially where it is defined as Heritage Coast. In this regard strict control of development up to the edges of the delineated coastal zone is of particular importance in preserving its special setting and in maintaining views out of the coastal area. Regard should be had to the principles of landscape and seascape character assessment as development adjacent to the coastal zone is a key factor which impacts upon its quality and the visitor experience. This is particularly important for the setting of the Heritage Coast and also the possibility of development affecting processes on the coast or increasing flood risk.

5.398 The Durham Heritage Coast Partnership delivers improvements to the coast via the Durham Heritage Coast Management Plan, which has recently been updated, and aims to balance enhancement with conservation, whilst taking account of the economic and social needs of the area. It is important that the type and location of recreational activities is sympathetic to the sensitive habitats and species which thrive there. In particular, the presence of protected bird species will constrain certain forms of development in this location. The Partnership is also currently seeking to extend the Heritage Coast status for the Denemouth area of Castle Eden Dene.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.
2. Status of proposed extension of Heritage Coast around Denemouth.

Target:

1. None upheld at appeal.
2. Completed by 2035.

142 [River Tyne to Flamborough Head \(SMP2\)](#).

Conserving and Enhancing the Natural and Historic Environment

5.399 County Durham's environment and well-being are fundamental to the quality of life of the people who live and work in the county and to the success of its economy. Environmental considerations are therefore fundamental to all policy areas addressed in the Plan. The quality and diversity of the built, historic and natural environment are amongst the county's major assets.

5.400 County Durham has a wealth of attractive natural and historic assets which present unique opportunities for residents, businesses and visitors. The Plan must therefore successfully balance the protection and enhancement of these assets with the requirement for new development to meet our need for new homes and jobs. New development in and around our historic towns and villages must complement their built heritage and natural landscapes. Across the county development pressures must not compromise the natural and historic assets that make them attractive and valuable.

5.401 The National Planning Policy Framework (NPPF) states that planning policies should contribute to and enhance the natural and local environment; recognise the intrinsic character and beauty of the countryside; seek to protect and enhance valued landscapes; minimise impacts on and providing net gains for biodiversity; and reduce the risks of pollution, land instability and contamination.

A Positive Strategy for the Historic Environment

5.402 The NPPF also requires the council to have a positive strategy for the conservation and enjoyment of the historic environment. This strategy is contained in a number of policies throughout the Plan including Policy 44 (Historic Environment) and Policy 29 (Sustainable Design).

5.403 The strategy also relates to the actions that the council has committed to undertaking including:

- the adoption of conservation area character appraisals and management proposals for all of the county's 93 conservation areas. These will be kept under review and where appropriate additional areas included or existing areas de-designated;
- targeting areas and properties which are identified through character appraisals and seeking to influence change in a proactive way, wherever opportunities arise;
- supporting the improved condition of Heritage at Risk through identifying and facilitating works, resources and providing advice and where appropriate using powers of enforcement and repair;
- taking considered and timely enforcement action to protect designated heritage assets where unauthorised works have taken place;
- managing, promoting and delivering an annual partnership programme of Heritage Open Days;
- developing proposals for external bidding;
- contributing to the revised Durham Castle and Cathedral World Heritage Site Management Plan;
- improved curation and accessibility of the county's Historic Environment Record (HER);
- ongoing partnership working including Heritage Action Zones and Landscape Partnership;
- community engagement including cultural activities;
- public realm investment;

- tackling heritage crime; and
- local listing of parks and gardens.

Policy 38 - North Pennines Area of Outstanding Natural Beauty

Policy 38

North Pennines Area of Outstanding Natural Beauty

The North Pennines Area of Outstanding Natural Beauty (AONB) will be conserved and enhanced. In making decisions on development great weight will be given to conserving landscape and scenic beauty.

Major developments⁽¹⁴³⁾ will only be permitted in the AONB in exceptional circumstances and where it can be demonstrated to be in the public interest, in accordance with national policy.

Any other development in or affecting the AONB will only be permitted where it is not, individually or cumulatively, harmful to its special qualities⁽¹⁴⁴⁾ or statutory purposes.

Any development should be designed and managed to the highest environmental standards and have regard to the conservation priorities and desired outcomes of the North Pennines AONB Management Plan and to the guidance given in the North Pennines AONB Planning Guidelines, the North Pennines AONB Building Design Guide and the North Pennines AONB Moorland Tracks and Access Roads Planning Guidance Note as material considerations.

5.404 Large parts of the North Pennines are designated as an Area of Outstanding Natural Beauty (AONB). The Countryside and Rights of Way Act 2000 places a statutory duty on public bodies to have regard to the purpose of conserving and enhancing natural beauty when discharging any function which could affect land in an AONB, and reaffirms the purposes of designation as follows:

- the primary purpose of designation is to conserve and enhance natural beauty;
- in pursuing the primary purpose of designation, account should be taken of the needs of agriculture, forestry, other rural industries and of the economic and social needs of local communities. Particular regard should be paid to promoting sustainable forms of social and economic development that in themselves conserve and enhance the environment; and
- recreation is not an objective of designation, but the demand for recreation should be met so far as this is consistent with the conservation of natural beauty and the needs of agriculture, forestry and other uses.

5.405 The National Planning Policy Framework (NPPF) confirms that AONBs, along with National Parks and the Broads, have the highest status of protection in relation to landscape and scenic beauty. It states that great weight should be given to conserving landscape and scenic beauty in AONBs, and that the conservation of wildlife and cultural heritage are also important considerations in these areas. Therefore the scale and extent of development within the AONB should be limited. The NPPF

¹⁴³ As defined in the Glossary.

¹⁴⁴ Information on the special qualities of the AONB can be found in the [North Pennines AONB Management Plan](#).

also sets out the considerations which need to be assessed as part of any major development application in order to demonstrate that the proposal is in the public interest and there are exceptional circumstances for the proposal to be located within the AONB.

5.406 The North Pennines AONB is the second largest AONB in the United Kingdom, covering almost 2,000 square kilometres. Approximately one third of the AONB lies within County Durham, the remainder lying within Cumbria and Northumberland and a small part in North Yorkshire. The North Pennines is acknowledged to be one of England's most remote, wild and tranquil places, with nationally and internationally important landscapes, biodiversity, geodiversity and cultural heritage, dark skies free of light pollution and little artificial noise. 36% of the AONB is designated SSSI, and the area includes 30% of England's blanket bog and 40% of the UK's upland hay meadows. The North Pennines holds a significant stock of natural capital and provides a wide range of ecosystem goods and services for the county and wider society, such as carbon storage, flood risk management, clean water, food and timber production. The whole of the AONB is also designated as a UNESCO Global Geopark. In addition to being a landscape for which we share a national responsibility, the AONB is an asset of great strategic importance to the county both environmentally and economically.

5.407 The AONB is a living, working landscape, its character influenced by generations of human activity. Sustaining that character will depend on careful stewardship of the land, and careful decision making about future development. Major development generally can and should be located outside of AONBs. Development that meets the needs of local communities and visitors should be accommodated provided that it protects the AONB's special qualities for the benefit of all.

5.408 This policy recognises the importance and sensitivity of the AONB and the need to conserve and enhance it as an environmental and economic asset. It recognises that varying degrees of protection should be afforded to international, national and locally designated sites and aims to protect its special qualities to an appropriate degree. Policies on Renewable Energy, Minerals, Waste and other developments including criteria for the protection of the AONB are contained in the relevant sections of the Plan, as are policies on other environmental assets such as Biodiversity, Geodiversity and Cultural Heritage.

5.409 The AONB is covered by a statutory Management Plan⁽¹⁴⁵⁾ produced by the North Pennines AONB Partnership on behalf of the five relevant local authorities. This document is intended to 'formulate the policies of local authorities in relation to their AONB' (Countryside and Rights of Way Act 2000) and it provides a framework and programme of action for the area's conservation and enhancement. The AONB Partnership and constituent local planning authorities have also produced a number of guidance documents including the North Pennines AONB Planning Guidelines and the North Pennines AONB Building Design Guide⁽¹⁴⁶⁾, which give greater expression to the more broadbrush policies in local planning documents. These documents have been endorsed by the council and are therefore material considerations when considering development proposals. This will include any successor or replacement documents endorsed by the council during the life of the Plan.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

145 The current Management Plan runs 2019-2024: https://www.northpennines.org.uk/what_we_do/management-plan/.

146 https://www.northpennines.org.uk/what_we_do/planning-and-development/.

Target:

1. None upheld at appeal.

Policy 39 - Landscape**Policy 39****Landscape**

Proposals for new development will be permitted where they would not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views.

Proposals will be expected to incorporate appropriate measures to mitigate adverse landscape and visual effects.

Development affecting Areas of Higher Landscape Value defined on Map H, will only be permitted where it conserves, and where appropriate enhances, the special qualities of the landscape, unless the benefits of development in that location clearly outweigh the harm.

Development proposals should have regard to the County Durham Landscape Character Assessment and County Durham Landscape Strategy and contribute, where possible, to the conservation or enhancement of the local landscape.

5.410 The Durham landscape is one of enormous contrast and diversity. From its western boundary high in the summit ridges of the North Pennines, to the limestone cliffs of the North Sea coast, remote moorlands and pastoral dales give way to fertile settled farmlands. This diversity is a product of both natural and human influences. The varied rocks, landforms and soils of the county and differences in climate between the exposed uplands and sheltered lowlands have influenced both the natural flora of the landscape and the way it has been populated, managed and exploited by its people over the centuries.

5.411 The intrinsic character and beauty of the countryside are important both to the quality of life of local communities and the economic prosperity of the county as a whole. In the past there has been an emphasis on identifying and protecting high quality landscapes. In recent years there has been an increasing recognition that all landscapes matter and that their sensitivity to development depends on their character. This character-led approach to all landscapes, of whatever quality, whether urban or rural, built or natural, is fundamental to the European Landscape Convention, of which the UK is a signatory. This is reflected in the National Planning Policy Framework (NPPF) which advises that policies should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognising the intrinsic character and beauty of the countryside.

5.412 The character of England's landscapes is mapped at a strategic level by Natural England who identify 159 National Character Areas (NCA). A NCA profile, which provides descriptive material on the character of the landscape and guidance on management, is produced for each of the six

NCA in County Durham. Further information on landscape character is contained within a suite of documents produced by the council. The County Durham Landscape Character Assessment (CDLCA) provides detailed information about the character of the county's landscape at three levels, from the strategic to the local. The County Durham and Darlington Historic Landscape Characterisation (HLC) provides information on how the landscape has evolved over time. The County Durham Landscape Strategy (CDLS) analyses the issues affecting the landscape and sets out objectives and priorities for conservation and improvement. The County Durham Landscape Guidelines (CDLG) cover a range of topics including trees, woodlands and forestry, hedges and grasslands and provide development and land management guidelines for individual landscape types⁽¹⁴⁷⁾.

5.413 The NPPF advises that the planning system should protect and enhance valued landscapes in a manner commensurate with their statutory status or identified quality in the development plan and that plans should distinguish between the hierarchy of international, national and local designations. It does not provide a definition of valued landscape. One indicator of value can be designation, either at a national or local level. Parts of the county are designated nationally as Area of Outstanding Natural Beauty (AONB) (see Policy 38 (North Pennines Area of Outstanding National Beauty) above). Outside of the AONB, parts of the county have been identified in the past as Areas of High Landscape Value (AHLV) in local plans. The work done to support these local designations was done some time ago and varied in its approach. The Guidelines for Landscape and Visual Impact Assessment (GLVIA)⁽¹⁴⁸⁾ advise that a range of factors can help in the identification of valued landscapes including landscape quality (condition), scenic quality, rarity, representativeness, conservation interest, recreational value, perceptual qualities and historical associations. The council has undertaken an assessment of the county's rural landscapes, the County Durham Landscape Value Assessment, which analyses how these factors contribute to their value. This was used to inform a review of local designations, the County Durham Local Landscape Designations Review, which identified new Areas of Higher Landscape Value (AHLV). These are local landscapes identified as having particularly valued attributes which would benefit from additional protection. These are defined on Map H.

5.414 The (NPPF) advises that strategic policies should make sufficient provision for the conservation and enhancement of the natural, built and historic environment including landscapes and that policies should ensure that developments are sympathetic to local character. This policy seeks to do this by requiring that development proposals should not cause unacceptable harm to the character, quality or distinctiveness of the landscape, or to important features or views. Whether harm is considered unacceptable will depend partly on the significance of the effects of development on those attributes, and partly on the extent to which the benefits of the development outweigh that harm in the balance of considerations. These are matters that need to be assessed on a case by case basis. The policy refers to important features and views. Important features will include those that are particularly characteristic of, and make a notable contribution to, the character, quality or distinctiveness of the local landscape. Important views will include notable views of landscapes, landscape features or landmarks. These will need to be evaluated on an individual basis.

5.415 The NPPF notes the desirability of new development making a positive contribution to local character and distinctiveness and advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Development can make a positive contribution to the landscape either directly through its design, through off-site works, or through financial contributions supporting the delivery of landscape improvements in the surrounding area. The CDLCA is the main source of information on local landscape character and distinctiveness. The CDLS is the main source of information on opportunities for improving character and quality. Parts of the county are covered by long term landscape scale partnerships covering specific geographical areas, including the North Pennines

147 These documents can be found on the Durham Landscape website at <http://www.durhamlandscape.info/article/8748/Home>.

148 [Guidelines for Landscape and Visual Impact Assessment](#). Landscape Institute and Institute of Environmental Management and Assessment (2013).

AONB and the Durham Heritage Coast. There are also long standing countywide thematic partnerships such as the County Durham Hedgerow Partnership and a number of shorter term or thematic partnership projects, many supported by the Heritage Lottery Fund. The plans and strategies of these partnerships can provide additional information on opportunities to improve the character and quality of the local landscape, and can provide mechanisms for delivering off-site mitigation.

How will the Policy be monitored?

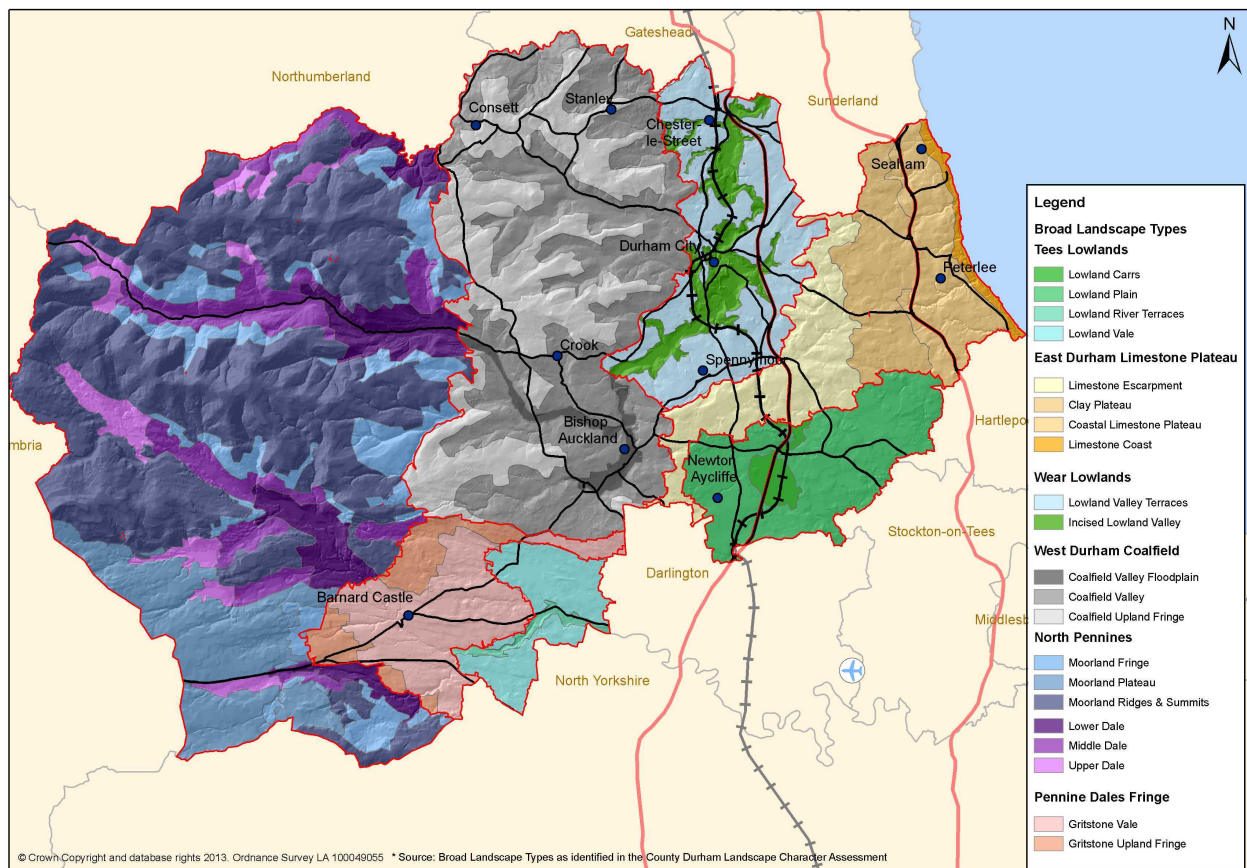
Indicator:

- 1. Appeals upheld contrary to this policy.

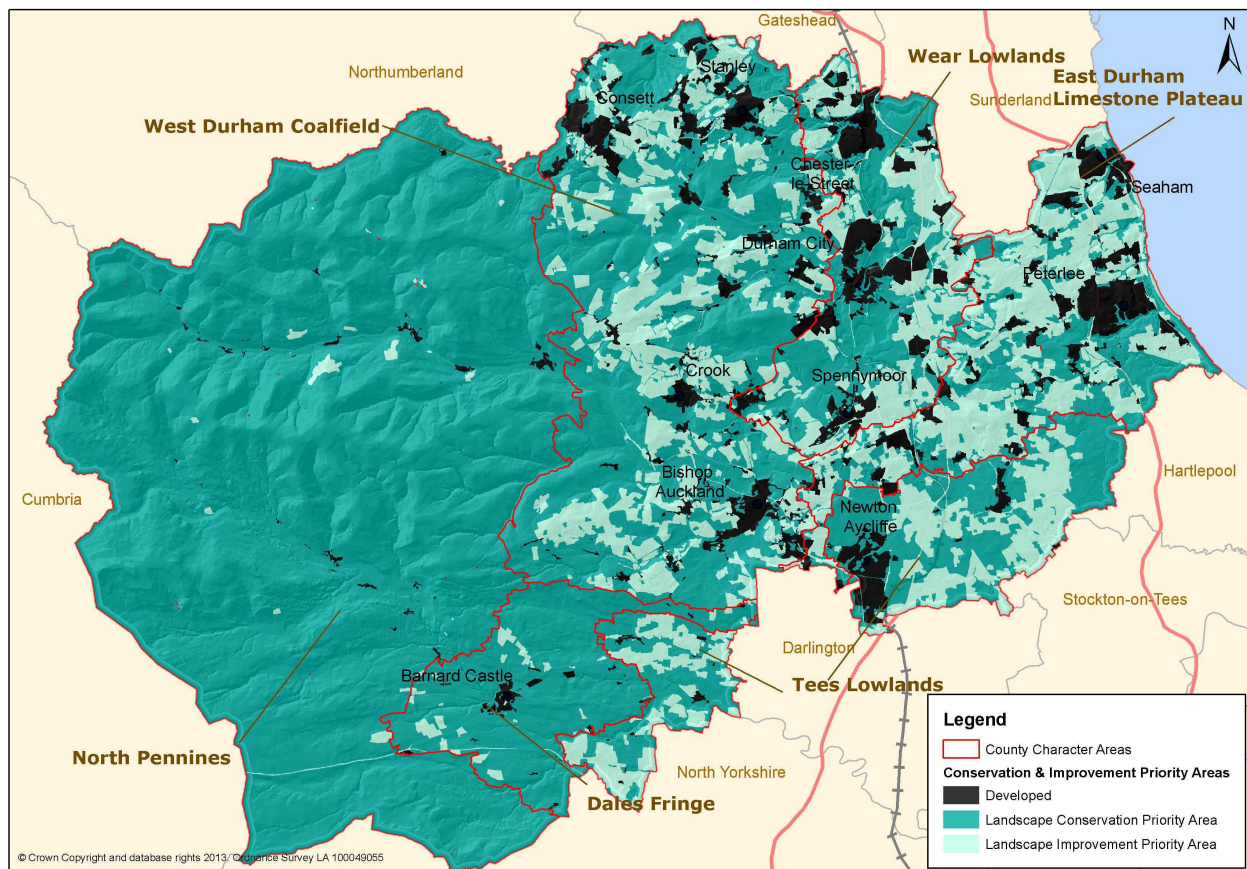
Target:

- 1. None upheld at appeal.

Map 2 Broad Landscape Types



Map 3 National Character Boundaries and Landscape Conservation and Improvement Priority Areas



Policy 40 - Trees, Woodlands and Hedges

Policy 40

Trees, Woodlands and Hedges

Trees

Proposals for new development will not be permitted that would result in the loss of, or damage to, trees of high landscape, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm. Where development would involve the loss of ancient or veteran trees it will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists.

Proposals for new development will be expected to retain existing trees where they can make a positive contribution to the locality or to the development, maintain adequate stand-off distances between them and new land-uses, including root protection areas where necessary, to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.

Where trees are lost, suitable replacement planting, including appropriate provision for maintenance and management, will be required within the site or the locality.

Where applications are made to carry out works to trees in Conservation Areas or that are covered by a Tree Preservation Order, they will be determined in accordance with the council's Tree Management Policy Document (or any subsequent revisions)⁽¹⁴⁹⁾.

Woodlands

Proposals for new development will not be permitted that would result in the loss of, or damage to, woodland unless the benefits of the proposal clearly outweigh the impact and suitable replacement woodland planting, either within or beyond the site boundary, can be undertaken.

Proposals for new development resulting in the loss or deterioration of ancient woodlands as shown on the policies map, will be refused unless there are wholly exceptional reasons and a suitable compensation strategy exists. Proposals affecting ancient woodland (including planted ancient woodland sites) not previously identified as such, will be subject to the same considerations.

Proposals for new development will be expected to maintain adequate stand-off distances between woodland and new land-uses to avoid future conflicts, and integrate them fully into the design having regard to their future management requirements and growth potential.

Hedges

Proposals for new development will not be permitted that would result in the loss of hedges of high landscape, heritage, amenity or biodiversity value unless the benefits of the proposal clearly outweigh the harm.

Proposals for new development will be expected to retain existing hedgerows where appropriate and integrate them fully into the design having regard to their management requirements.

Where any hedges are lost, suitable replacement planting or restoration of existing hedges, will be required within the site or the locality, including appropriate provision for maintenance and management.

5.416 Trees, woodlands and hedges make an important contribution to the beauty, diversity and distinctiveness of our rural landscapes and the beauty and liveability of our townscapes. Tree and woodland canopies create shelter and shade, intercept rainfall and airborne pollutants and regulate the movement of water through river catchments, reducing soil erosion and the leaching of pollutants into surface and ground water. This helps to regulate local temperatures and climate change impacts. Woodland ecosystems are a key component of the county's biodiversity providing habitats for both rare and common species. The provision of ecosystem services by woodland and hedges makes them an important part of our natural capital. Protecting and conserving the county's woodlands and substantially increasing woodland cover are important objectives of the County Durham Landscape Strategy (2008).

5.417 Trees and woodlands take many years to mature, ancient woodlands and aged or veteran trees in particular are irreplaceable. Ancient semi-natural woodlands make up only around 1.3% of the county and contain plant and animal communities that survive from the very distant past. Natural England has produced an inventory of ancient woodlands which the council has updated on the basis of more recent information. This includes ancient semi-natural woodlands (ASNW) and planted ancient woodland sites (PAWS) which are often important for the conservation of woodland species where they persist in the under-storey. ASNW and PAWS are shown as Ancient Woodland on the policies

149 <https://www.durham.gov.uk/treemanagement>.

map but this is not definitive as many woodlands, and particularly small woodlands, are not picked up by the inventory and are only found to be ancient after detailed survey. Where the council considers that a woodland previously unidentified as such is likely to be ancient woodland a detailed survey will be required as part of the application process. Where development proposals lie close to ancient woodlands, including planted or otherwise damaged ancient woodlands, there may be opportunities to carry out buffering, restoration or enhancement works in mitigation of the impact(s). These works will be secured by planning obligations or other agreements, in accordance with Policy 25 (Developer Contributions).

5.418 Aged and veteran trees are those which, because of their great age, size or condition are of exceptional wildlife, landscape or cultural value. The National Planning Policy Framework (NPPF) says that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland, and the loss of aged or veteran trees found outside ancient woodland, unless there are wholly exceptional reasons and a suitable compensation strategy is in place. Other trees of high landscape, amenity or biodiversity value include rare native trees, trees covered by Tree Preservation Orders (TPO), mature trees that make a notable contribution to the visual amenity of a landscape or townscape, and trees of significant historical or commemorative importance. The value of individual trees needs to be assessed on an individual basis.

5.419 Mature trees, woodlands and hedges are sensitive to the impacts of development, either directly through their removal or indirectly through the impacts of construction. Due to the length of time and the cost taken to replace mature features, and the contribution they can make to the quality of development, they should be retained and protected where possible.

5.420 Where trees within or adjacent to a site could be affected by development, a full tree survey and arboricultural implications assessment to BS 5837 (the British Standard for Trees) will be required as part of the planning application. This should be carried out at a sufficiently early stage to inform the design of the development. The implementation of any protective measures it identifies, will be secured by the use of planning conditions including for root protection.

5.421 Mature hedges can bring character and maturity to a new development and should generally be retained, although in some circumstances there can be merit in not retaining lower value hedges if this would compromise the quality of design. Consideration needs to be given to the growth potential and shading characteristics of trees to ensure that they are properly integrated into the new landscape without creating future conflicts and pressure for removal. Consideration also needs to be given to the growth potential and management requirements of hedges. Where the loss of trees and hedges is unavoidable they should be replaced with suitable new planting either within the site or in the locality if this is more appropriate. In the case of hedges the renovation of existing hedges in the wider area can be an appropriate form of mitigation. Development can make a positive contribution to the tree resource in the area through on or off-site planting, and particularly where the site lies in a woodland priority area identified in the County Durham Landscape Strategy⁽¹⁵⁰⁾. Technical guidance on the planting of trees, woodlands and hedges and the selection of species can be found in the County Durham Landscape Guidelines⁽¹⁵¹⁾.

5.422 The council's adopted Tree Management Policy sets out our approach to the management of trees on our own land. In dealing with applications affecting, or works to, trees in Conservation Areas or protected by TPO, the council will be guided by the principles set out in that document (or any subsequent revisions) and particularly those sections dealing with tree care and damage caused by trees.

150 [County Durham Landscape Strategy](#) (2008).

151 [County Durham Landscape Guidelines](#) (2008).

How will the Policy be monitored?**Indicator:**

1. Net loss of trees/woodlands/hedges as a result of new development.
2. Loss of Ancient Woodland (hectares).

Target:

1. No net loss of trees/woodlands/hedges.
2. No loss of Ancient Woodland.

Policy 41 - Biodiversity and Geodiversity**Policy 41****Biodiversity and Geodiversity**

Proposals for new development will not be permitted if significant harm to biodiversity or geodiversity resulting from the development cannot be avoided, or appropriately mitigated, or, as a last resort, compensated for.

Proposals for new development will be expected to minimise impacts on biodiversity by retaining and enhancing existing biodiversity assets and features and providing net gains for biodiversity including by establishing coherent ecological networks⁽¹⁵²⁾. Measures should be appropriate, consistent with the biodiversity of the site and contribute to the resilience and coherence of local ecological networks.

Proposals for new development will be expected to protect geological features and have regard to Geodiversity Action Plans, the Durham Geodiversity Audit and where appropriate promote public access, appreciation and interpretation of geodiversity.

Development proposals where the primary objective is to conserve or enhance biodiversity or geodiversity will be permitted, where they accord with other relevant policies in the Plan.

Development proposals which are likely to result in the loss or deterioration of irreplaceable habitat(s) (such as peatlands or lowland fen) will not be permitted unless there are wholly exceptional reasons and a suitable compensation strategy exists.

¹⁵² This can be achieved by contributing to the consolidation and development of local ecological networks, and the implementation of the biodiversity and geodiversity action plans and management plans of local partnerships, including working across local authority boundaries at a catchment or landscape scale.

5.423 Biodiversity, the variety of life on earth, is at the heart of a more sustainable future for the county. Retention and enhancement of biodiversity is a key measure of sustainability. The National Planning Policy Framework (NPPF) confirms the Government's commitment to the conservation and enhancement of the natural environment, including the protection and enhancement of biodiversity and the benefits of ecosystems. Biodiversity is a key element of Natural Capital. The Natural Environment and Rural Communities (NERC) Act 2006 places a duty on all local authorities to have regard to the conservation of biodiversity and requires the Secretary of State to publish a list of priority species and habitats for conservation. The Government has laid out its targets for wildlife and ecosystem services in 'Biodiversity 2020: A strategy for England's wildlife and ecosystem services'⁽¹⁵³⁾ and planning policy should contribute to the delivery of its targets.

5.424 The retention and enhancement of ecosystems are essential for the maintenance and recovery of priority species and habitats. This will enable their natural migration and spread in response to climate change, as well as providing opportunities for landscape enhancement, creating an attractive environment in which to live, work and play.

5.425 Proposals will also be expected to actively enhance biodiversity in order to provide net gains. Adherence to the mitigation hierarchy is crucial in ensuring that impacts on biodiversity are minimised and net gains are achieved. Within the mitigation hierarchy compensation through off-site delivery is regarded as a last resort, after all reasonable measures have been taken first to avoid and minimise the impact of a development proposal and then to restore biodiversity on-site. The use of a biodiversity impact assessment calculator may be appropriate in order to determine whether the development delivers net gains on-site and if there is a requirement for off-site compensation. Development proposals will be expected to protect and enhance on site biodiversity assets and these would generally be defined as UK Priority and Biodiversity Action Plan habitats and species and those features which form part of ecological networks. In circumstances where it is considered that the enhancement of biodiversity might render the proposal unviable, the developer will be required to demonstrate to the council's satisfaction that this is the case.

5.426 The re-use of previously developed land for new development makes a major contribution to sustainable development. However, brownfield land can support an extremely rich diversity of wildflowers and animals, and has its own UK BAP Priority Habitat 'Open Mosaic Habitats and Previously Developed Land'. Where such sites have significant biodiversity or geological interest of recognised local importance, this interest should be retained or incorporated into any development.

5.427 Given the important role peatlands play in carbon storage and sequestration there should be no further loss or deterioration of peatlands and all recoverable peatlands should be restored to a peat forming state, making them resilient to climate change and with long-term safeguards. The North Pennines AONB Partnership has had success in restoring significant areas of peatland, through its Peatland Programme and Carbon Connects Project, restoring over 25,000 hectares of blanket bog.

5.428 The location and design of new development should be informed by the most appropriate biodiversity data available. It will be expected that biological data gathered to support the development process will be submitted to the local biodiversity record office. All development proposals affecting International Sites will be considered against Policy 42 (Internationally Designated Sites).

5.429 Good sources of information are the MAGIC website and the Environmental Records Information Centre North East (ERIC). MAGIC has been operational since 2002 and is managed by Natural England, it provides geographic information about the natural environment from across Government. The information covers rural, urban, coastal and marine environments across Great

153 [Biodiversity 2020: A strategy for England's Wildlife and ecosystem services](#) (2011).

Britain. MAGIC provides links to other sources of data in order to make best use of a wide range of information available on other websites⁽¹⁵⁴⁾. ERIC holds environmental records for species, habitats and protected sites within the north east⁽¹⁵⁵⁾.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.
2. Percentage of proposals permitted which would result in a loss of biodiversity or geodiversity where mitigation or compensation has not been secured.

Target:

1. None upheld at appeal.
2. Zero.

Policy 42 - Internationally Designated Sites

Policy 42

Internationally Designated Sites

Development that has the potential to have an effect on internationally designated site(s), (including all development within 0.4 kilometres of the sites, as shown on Map B of the policies map document), either individually or in combination with other plans or projects, will need to be screened in the first instance to determine whether significant effects on the site are likely and, if so, will be subject to an Appropriate Assessment.

Development will be refused where it cannot be ascertained, following Appropriate Assessment, that there would be no adverse effects on the integrity of the site, unless the proposal is able to pass the further statutory tests of 'no alternatives' and 'imperative reasons of overriding public interest' as set out in Regulation 64 of the Conservation of Habitats and Species Regulations 2017. In these exceptional circumstances, where these tests are met, appropriate compensation will be required in accordance with Regulation 68.

Where development proposals would be likely to lead to an increase in recreational pressure upon internationally designated sites, a Habitats Regulations screening assessment and, where necessary, a full Appropriate Assessment will need to be undertaken to demonstrate that a proposal will not adversely affect the integrity of the site. In determining whether a plan or project will have an adverse effect on the integrity of a site, the implementation of identified strategic measures to counteract effects, can be considered during the Appropriate Assessment.

¹⁵⁴ [Magic](#).

¹⁵⁵ [Eric](#).

Land identified and/or managed as part of any mitigation or compensation measures should be maintained in perpetuity. Development proposals which have an adverse impact on mitigation or compensation measures will not be allowed.

The Legal Context and Responsibility for Appropriate Assessment

5.430 The need for Appropriate Assessment (AA) is set out within Article 6 of the EC Habitats Directive 1992 (92/43/EEC). The Directive is given domestic effect by the Conservation of Habitats and Species Regulations 2017 and Internationally Designated Sites are subject to these regulations (and any successor or replacement regulations during the life of the Plan). Under these Regulations, land use plans must be subject to AA if they are likely to have a significant adverse effect on a Natura 2000 site (Special Areas of Conservation (SACs) and Special Protection Areas (SPAs)). It is Government policy⁽¹⁵⁶⁾ for sites designated under the Convention on Wetlands of International Importance (Ramsar sites), equivalent sites (potential SPAs and possible SACs) and sites identified or required as compensatory measures for adverse effects on European sites, to be treated as having equivalent status to Natura 2000 sites. As such, AA should also cover these sites.

5.431 Where development proposals may impact, either directly, indirectly, or in combination on internationally designated sites, a screening assessment may be required to determine whether there is a need for AA. Although it is the responsibility of the competent authority (the council) to undertake the AA, developers must provide the council with the information required for the purposes of the assessment or to enable them to determine whether an AA is required. This may require developers to fund specialist surveys and evidence based reports. Where mitigation or compensation is required this will be determined by the competent authority and dealt with through conditions, planning obligations or other legal agreements.

The Current Position

5.432 Certain internationally designated sites are already experiencing recreational and urbanisation impacts on site integrity. These are:

- Northumbria Coast SPA/Ramsar site;
- Teesmouth and Cleveland Coast SPA/Ramsar site;
- Durham Coast SAC; and
- Teesmouth and Cleveland Coast potential SPA.

Future Development

5.433 In applying this policy the council has identified a buffer zone that extends 0.4 kilometres from the perimeter of the SPA/SAC/Ramsar (measured as the crow flies) within which development is likely to have significant effects on the site and due to issues of proximity it may not be possible to sufficiently mitigate for the impacts of proposals within this zone. In this zone permission may be granted, provided it is demonstrated that the proposal will not adversely affect the integrity of the site in question⁽¹⁵⁷⁾.

¹⁵⁶ Paragraph 176 of National Planning Policy Framework (NPPF).

¹⁵⁷ Please refer to the Habitats Regulation Assessment of the County Durham Plan for the reasoning behind the establishment of these zones.

5.434 Where it can be shown that proposals to mitigate the effects of development would avoid or overcome an adverse impact on the integrity of the site in question, or its qualifying features, planning permission will be granted and the mitigation proposals secured by planning condition, Section 106 agreement or other legal agreements.

5.435 It should be noted that outside the 0.4 kilometre zone, development may still have the potential to impact upon internationally designated sites. In coastal settlements, these may include residential developments which increase the number of inhabitants and hence increase recreational pressure, and non-residential developments which are likely to increase visitor numbers to Durham's Coast. Evidence has also shown that the majority of visitors accessing the coast come from within 6 kilometres, therefore any development that will increase visitor pressure within this buffer, including tourism development, is unlikely to be screened out and will be subject to AA to demonstrate that the proposal can be implemented without causing adverse effects to the integrity of one or more internationally designated coastal site(s)⁽¹⁵⁸⁾. It should be noted that where specific works are needed to avoid and mitigate the effect that occupiers of a development will have on a coastal European Protected Site(s), these should be undertaken and in place before or in conjunction with those occupiers moving in. There is further guidance available in the council's adopted 'Habitat Regulations Assessment: Developer Guidance and Requirements in County Durham' document which comprises details of how developers can source evidence for the AA and how they can provide, or contribute towards, mitigation measures⁽¹⁵⁹⁾. This includes monitoring requirements to ensure timely delivery, efficiency and effectiveness of mitigation and/or compensation measures.

Exceptional Circumstances

5.436 Regulation 64 of the Habitats Regulations⁽¹⁶⁰⁾ permits the approval of plans or projects where there is a negative assessment under certain exceptional circumstances. In accordance with Regulation 64, development proposals which would have an adverse effect on the integrity of an internationally designated site will only be permitted if they can demonstrate:

- that there are no suitable alternative locations for development;
- that all forms of mitigation (rather than compensation) have been fully considered;
- that adequate compensatory measures to maintain the overall ecological coherence of the Natura 2000 network are in place (or at least could be put in place and will be delivered in advance of any harm caused to a site); and
- that there are 'imperative reasons of overriding public interest'. In the case where the site hosts a priority natural habitat or species (as defined in Article 1 of the Habitats Directive and listed in Annexes I and II), only reasons relating to human health, public safety or beneficial consequences of primary importance to the environment, can be considered, unless the competent authority has sought and had regard to an opinion from the European Commission. For European sites that do not host an Annex I or priority habitat or species it would also be possible to consider projects which provide long term, large scale economic benefits.

158 These thresholds may change in response to ongoing monitoring and evidence collation.

159 HRA guidance can be found at [HRA Developer Guidance](#) (2019).

160 Which transposes into UK law the requirement of Article 6(4) of the Habitats Directive.

How will the Policy be monitored?**Indicator:**

1. Number of applications approved which have a likely significant effect upon the integrity of an internationally designated site.
2. Appeals upheld contrary to this policy.

Target:

1. No applications approved which contravene the requirements of the Habitats Regulations 2017 (or subsequent amendments).
2. None upheld at appeal.

Policy 43 - Protected Species and Nationally and Locally Protected Sites**Policy 43****Protected Species and Nationally and Locally Protected Sites**

All development proposals in, or which are likely to adversely impact upon (either individually or in combination with other developments), any of the following national designations (where not a component of an internationally designated site):

- Sites of Special Scientific Interest
- National Nature Reserves

will only be permitted where the benefits of development in that location clearly outweigh the impacts on the interest features on the site and any wider impacts on the network of sites.

All development proposals in, or which are likely to adversely impact upon, any of the following local designations:

- Local Sites (Geology and Wildlife)
- Local Nature Reserves (LNRs)

will only be permitted when it can be demonstrated that the benefits of development in that location outweigh the impacts on the local nature conservation interest or scientific interest on the site and any wider impacts on the network of sites.

In all cases where development impacts adversely on a designated site, mitigation, or as a last resort compensation, must be provided and it must be demonstrated that the proposed mitigation or compensatory measures are appropriate to the designations assigned to the site and deliver clear net gains for the habitats and/or species assemblages the site is designated for.

In relation to protected species and their habitats, all development which, alone or in combination, has a likely adverse impact on the ability of species to survive, reproduce and maintain or expand their current distribution will not be permitted unless:

- a. appropriate mitigation, or as a last resort compensation, can be provided, which maintains a viable population and where possible provides opportunities for the population to expand; and
- b. where the species is a European protected species, the proposal also meets the licensing criteria (the 3 legal tests) of overriding public interest, no satisfactory alternative and favourable conservation status.

5.437 Durham's natural environment is one of its greatest assets and includes a particularly large proportion of the UK's biodiversity, including some of Europe and the UK's most significant sites which are protected by national policy and national and European legislation (as detailed in Policy 42 (Internationally Designated Sites)). However the valuable natural environment includes not only internationally protected sites, but also national and local sites such as Sites of Special Scientific Interest, National Nature Reserves, Local Nature Reserves, Local Wildlife Sites and Local Geological Sites, as well as other features of nature conservation value.

5.438 Whilst it is recognised that the legal protection given to local sites is less robust than that given to European Protected Sites and SSSIs, the biodiversity value is just as great and the National Planning Policy Framework (NPPF) requirement to protect and enhance as well as to provide net gains for biodiversity applies equally across all protected site designations regardless of their legal designation. The abundance of local sites means that they provide the greatest area of biodiverse land outside of the western uplands and within the more developed areas of central and eastern Durham. Their geographical spread makes them best placed to work for biodiversity at a landscape level by contributing to the creation of ecological networks which in turn support priority species and habitats. In practical terms they provide the best opportunity to halt the overall decline in biodiversity.

5.439 This policy, in conjunction with the overarching Biodiversity and Geodiversity policy (Policy 41), seeks to ensure the protection and enhancement of these sites and features. It is necessary to help halt and reverse current negative trends and meet new challenges particularly arising from climate change adaptation and pressures associated with an increasing population.

5.440 It is vital that all stages of development are informed by relevant ecological information, from site selection and design, to planning decisions and long-term management. To determine the likelihood of harm occurring, the effects on any existing habitats, species and/or features of nature conservation importance should be assessed and the results documented. The method of survey and level of detail will vary according to the size and type of development and whether priority species and habitats exist on site.

5.441 All effects should be considered, including positive and negative, direct and indirect, cumulative, and on and off-site impacts over the lifetime of the development (including construction, operational and restoration phases). There should also be consideration of disturbance effects such as noise, lighting, recreational pressures, trampling, traffic, domestic pets, vandalism etc. The following criteria should be addressed when development is proposed:

- avoidance of existing sensitive habitats and species through careful site selection;
- location and design should be based upon the most up to date biodiversity data available;
- retention of existing habitats and features of interest, and provision of buffer zones around any sensitive areas;
- enhancement of biodiversity where possible through improving the condition of existing habitats or creation of new ones. Particular attention should be paid to priority habitats referred to in the Durham and/or UK Biodiversity Action Plan⁽¹⁶¹⁾;
- where harm is identified as likely to result, provision of measures to adequately avoid or mitigate that harm should be set out. Development may be refused if adequate mitigation cannot be provided and there are no other material planning considerations which outweigh that harm or the derogation tests in Article 16 of the Habitats Directive cannot be met; and
- provision of management of the retained and new features, appropriate to the habitats and species present.

5.442 In relation to European protected species there will be circumstances in which the council, as part of its statutory function, will be required to form a view on the likelihood of a licence being granted by Natural England to allow a protected species to be captured, killed or disturbed. Licence applications for a development should be regarded as the last available option where all other reasonable alternative ways of avoiding or minimising impacts on the protected species have been discounted and the action is nonetheless likely to result in an offence or offences under the species protection provisions of the Habitat Regulations. In order to achieve this the proposal must demonstrate that it can pass the three legal tests, as set out in the guidance note published by Natural England⁽¹⁶²⁾.

5.443 Compensation is a last resort, but will be necessary in some instances where other approaches cannot guarantee to minimise the impacts on biodiversity and provide a net gain, and where any unavoidable losses are outweighed by other sustainability considerations. Such measures should be delivered within the development site where possible. However where this is not feasible it may be more appropriate to deliver off-site measures through legal agreements and landscape scale projects as close to the development site as possible to avoid the degradation of local ecological networks or ecosystem services. Further guidance can be found in the Planning Practice Guidance (PPG) and associated government guidance⁽¹⁶³⁾.

5.444 Development also provides opportunities to enhance the natural environment for wildlife and Durham's communities, particularly through landscaping, public open space, sustainable drainage systems and features of the built environment e.g. bird boxes, bat boxes and bee bricks. Such measures should contribute to the delivery of relevant Biodiversity Action Plan (BAP) targets, but also be tailored to local landscape character. Development may also open up opportunities to bring

161 [Biodiversity Priorities](#).

162 Natural England Guidance Note (2010): [European Protected Species and the Planning Process](#) (2010).

163 [Government guidance: Protected areas of countryside](#).

degraded or neglected features back into favourable condition through sensitive management to encourage wildlife. Such restoration will be particularly valuable where it contributes towards landscape scale projects.

How will the Policy be monitored?

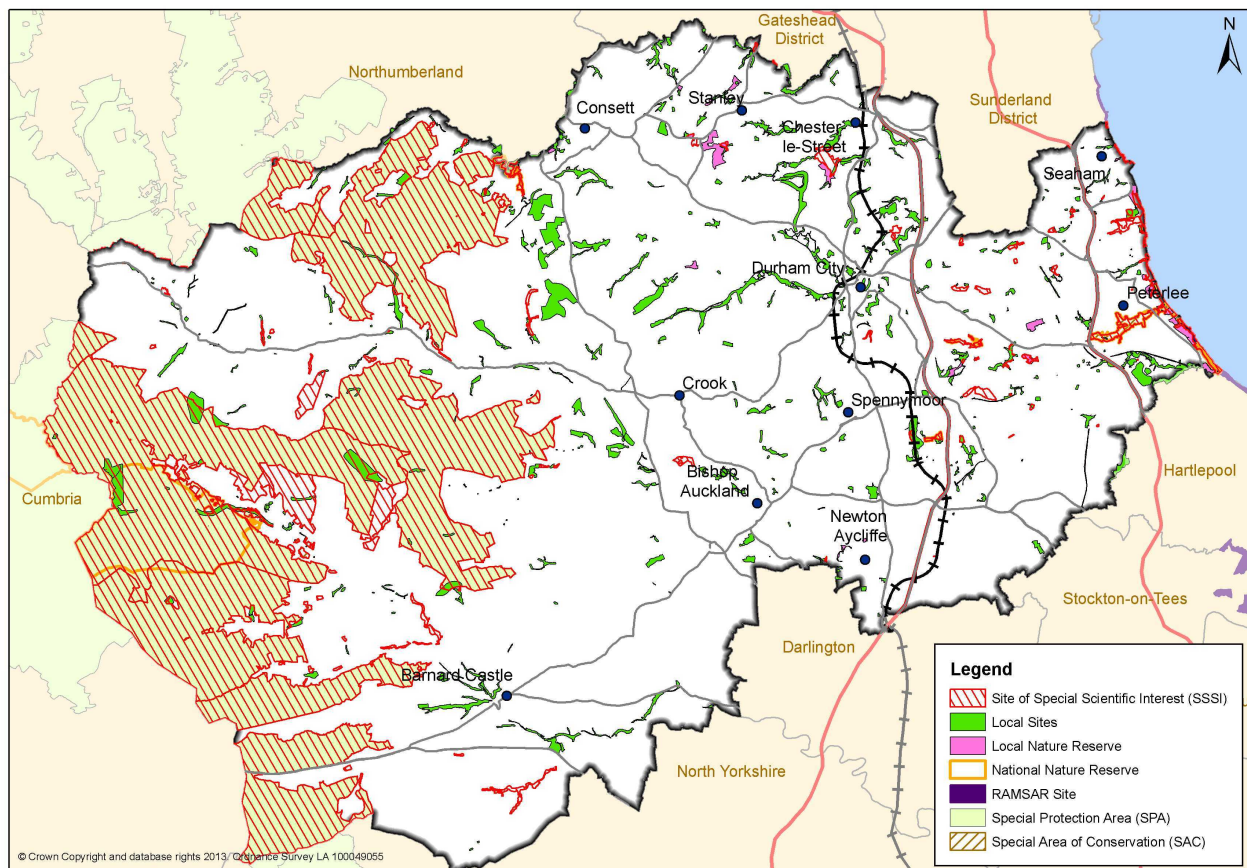
Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Map 4 International, National and Local Biodiversity and Geodiversity Sites



Policy 44 - Historic Environment

Policy 44

Historic Environment

Development will be expected to sustain the significance of designated and non-designated heritage assets, including any contribution made by their setting. Development proposals should contribute positively to the built and historic environment and should seek opportunities to enhance and, where appropriate, better reveal the significance and understanding of heritage assets whilst improving access where appropriate.

Designated Assets

Great weight will be given to the conservation of all designated assets and their settings (and non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments)⁽¹⁶⁴⁾. Such assets should be conserved in a manner appropriate to their significance, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Development which leads to less than substantial harm to a designated heritage asset will be weighed against the public benefits of the proposal.

Development which leads to substantial harm to, or total loss of, the significance of a designated heritage asset will only be acceptable where it can be demonstrated that it is necessary to achieve substantial public benefits that outweigh that harm or loss, or where all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site;
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;
- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

In determining applications, particular regard will be given to the following:

Scheduled Monuments

- a. the sustainable management of the monument and its setting.

Listed Buildings

- b. respect for the historic form, setting, fabric, materials, detailing, and, any other aspects including curtilage, which contribute to the significance of the building or structure; and
- c. the retention of the character and special interest of buildings when considering alternative viable uses.

164 [Non-designated heritage assets](#) Ref ID: 18a-041-20190723.

Historic Battlefields

- d. the sustainable management of the battlefield site and its setting.

Registered Parks and Gardens

- e. the sustainable management of the landscape, its features and setting.

Conservation Areas

- f. the demonstration of understanding of the significance, character, appearance and setting of the conservation area and how this has informed proposals to achieve high quality sustainable development, which is respectful of historic interest, local distinctiveness and the conservation or enhancement of the asset;
- g. the manner in which the proposal responds positively to the findings and recommendations of conservation area character appraisals and management proposals; and
- h. respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including pattern, layout, density, massing, features, height, form, materials and detailing).

Non-designated Assets

A balanced judgement will be applied where development impacts upon the significance and setting of non-designated heritage assets.

In determining applications which would affect a known or suspected non-designated heritage asset with an archaeological interest, particular regard will be given to the following:

- i. ensuring that archaeological features are generally preserved in situ; and
- j. in cases where the balanced judgement concludes preservation in situ should not be pursued, it will be a requirement that they are appropriately excavated and recorded with the results fully analysed and made publicly available.

Heritage at Risk

The council will seek to reduce the number of heritage assets identified at risk, from either neglect, decay or other threat, and seek to avoid assets becoming at risk in the future. Weight will be given to any significant improvements to at risk heritage assets as a result of development proposals. The deteriorated state of the heritage asset will not be taken into account where evidence shows that the asset has been deliberately neglected or damaged.

If the loss of the whole or part of a heritage asset is accepted, conditions will be secured to ensure the new development proceeds after the loss has occurred. Full and proper recording of the asset must be undertaken and made publicly available⁽¹⁶⁵⁾ prior to its loss, in a manner proportionate to the importance of, and impact upon, the asset.

¹⁶⁵ Copies of evidence (and any archive generated) should be deposited with Council's Historic Environment Record or as directed by the Conservation Team.

5.445 Heritage assets, designated and non-designated, are irreplaceable, so any harm or loss will require clear and convincing justification. This policy aims to ensure that County Durham's heritage assets are preserved and enhanced so that they can continue to make an important contribution to the environment, economy, quality of life and lifelong learning for this and future generations.

5.446 The historic environment is a non-renewable resource and once harmed, buildings and places can irretrievably lose their character and their significance. A sustainable historic environment is one in which future generations will have the same opportunity as people today to enjoy, study and make use of our heritage assets. There is a presumption in favour of sustainable development of which the conservation and enhancement of the historic environment forms an important part. In seeking sustainable development great weight will be given to the conservation of heritage assets in the county.

5.447 County Durham has a wide variety of heritage assets that evidence and reflect human interaction with the landscape from prehistoric times to the present. These are manifested in landscapes, towns and villages, individual buildings and features, ancient monuments, open spaces, historic public realm and archaeological sites, with many phases, over time, inter-laid upon one another. The county's designated heritage assets include⁽¹⁶⁶⁾:

- one World Heritage Site;
- 3,036 Listed Buildings (101 Grade I - 157 Grade II* - 2,778 Grade II);
- 93 Conservation Areas;
- 226 Scheduled Monuments;
- 17 Registered Parks and Gardens; and
- one Historic Battlefield.

5.448 The county's heritage assets are recorded on our Historic Environment Record (HER). The HER is a publicly accessible computerised inventory of our historic environment which includes known heritage assets, sites without statutory protection, and the find-spots of archaeological objects. This inventory is also supplemented with a written report and cartographic and photographic material. As part of the planning process the local authority can identify additional non-designated heritage assets that are not currently statutorily protected. Impact on a non-designated heritage asset is in itself a material consideration for planning decisions⁽¹⁶⁷⁾.

5.449 The county also contains an array of non-designated heritage assets, including:

- buildings and structures, identified through the planning process, of special architectural and historic significance;
- parks and gardens of local interest;
- spaces which contribute to the significance of the historic environment; and
- assets of archaeological interest.

166 List is correct at date of publication.

167 Please reference the National Heritage List for England [National Heritage List for England](#) for up to date information on nationally protected historic buildings and sites.

5.450 Neighbourhood plans can identify any buildings and spaces that are considered worthy of local designation or of assessment for protection, which would be enacted through the national designation process. They can also make recommendations for new conservation areas or the revision of existing ones using adopted conservation area character appraisals, or similar characterisation methods, along with the need for a local heritage list or a 'heritage at risk' survey.

5.451 Sustainable management of the historic environment can have valuable economic benefits by creating attractive places to work and do business, which helps to attract inward investment and support regeneration. It can also have valuable environmental and social benefits, particularly in relation to education, recreation and leisure opportunities.

5.452 Development will be of a high standard in order to maintain and enhance the quality of the historic environment. Development should give great weight to the conservation of the asset. Development should avoid or mitigate harm and take the opportunity to better reveal significance. The use of appropriate materials that are in keeping with the setting of the heritage asset will be required. Applicants are expected to reference and clearly respond to adopted conservation area character appraisals and management proposals and other guidance produced at a national and local level.

Supporting Information

5.453 All applications affecting heritage assets must be accompanied by a satisfactory Statement of Heritage Significance and Impact (Heritage Statement). Applicants will be required to demonstrate a full understanding of the assets' significance, including any contribution made by their setting. Heritage Statements should be produced by a heritage specialist where appropriate and considered necessary by the council and should be proportionate to the assets' importance.

5.454 Relevant research material, including primary sources, conservation area character appraisals, management proposals and neighbourhood plans should be referenced and used to influence development proposals. It is also recommended that the ICOMOS Guidance on Heritage Impact Assessments is referenced⁽¹⁶⁸⁾. As a minimum the HER must be consulted and any available information utilised appropriately.

5.455 Development proposals which may affect archaeological heritage assets shall be informed by sufficient evidence to enable their significance and the potential impact of the proposal to be fully understood.

5.456 Where proposals are likely to affect sites of known importance, sites of significant archaeological potential, or those that become apparent through the development management process, background research followed up by archaeological investigation will be required prior to their determination. This will also be a requirement for greenfield sites of one hectare or more in extent. The findings of this assessment will be a material consideration which informs subsequent mitigation and the determination of the planning application. All resultant information shall be made available in an appropriate form for inclusion in the HER to advance understanding.

5.457 Where we consider there to be a threat to the character, appearance and significance of any designated heritage asset, including conservation areas, and protection is required to prevent harm, permitted development rights may in some circumstances be withdrawn under Article IV of the Town and Country Planning Act (General Permitted Development Order) 1995 as amended.

168 [Guidance on Heritage Impact Assessments for Cultural Heritage Impact Properties](#) (2011).

How will the Policy be monitored?

Indicator:

1. Number of heritage assets lost.
2. Number of heritage assets removed from At Risk Registers as a result of the implementation of a permitted scheme.
3. Appeals upheld contrary to this policy.
4. Number of enforcement cases taken against the owners of listed buildings.

Target:

1. No heritage assets subjected to unjustified loss.
2. 100% of heritage assets removed from the At Risk Register, that relate to permitted schemes.
3. None upheld at appeal.
4. Zero enforcement actions.

Policy 45 - Durham Castle and Cathedral World Heritage Site

Policy 45

Durham Castle and Cathedral World Heritage Site

The Durham Castle and Cathedral World Heritage Site is a designated asset of the highest significance. Development within or affecting the World Heritage Site and its setting will be required to:

- a. sustain and enhance the significance of the designated asset;
- b. be based on an understanding of the Outstanding Universal Value⁽¹⁶⁹⁾ of the site, having regard to the adopted World Heritage Site Management Plan and Statement of Outstanding Universal Value; and
- c. protect and enhance the Outstanding Universal Value, the immediate and wider setting and important views across, out of, and into the site.

Development that would result in harm to the Outstanding Universal Value of the World Heritage Site or its setting will not be permitted other than in wholly exceptional circumstances.

169 [World Heritage List - Durham Castle and Cathedral.](#)

5.458 Through the 1972 World Heritage Convention, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) has identified the formal recognition and management of World Heritage Sites (WHS) as a key means of conserving the world's cultural and natural heritage for present and future generations. The designation of the Durham Cathedral and Castle WHS in 1986 recognised its national and international significance.

5.459 The key attributes of the site relate to its historical, cultural and architectural importance and are set out in the Statement of Outstanding Universal Value (SOUV). It is imperative therefore that development does not detrimentally impact on the WHS and its OUV, and that opportunities to positively enhance the site are supported. The OUV is summarised as follows:

- the site's exceptional architecture demonstrating architectural innovation;
- the visual drama of the Cathedral and Castle on the peninsula and the associations with notions of romantic beauty;
- the physical expression of the spiritual and secular powers of the medieval Bishops Palatine that the defended complex provides;
- the relics and material culture of the three Saints (Cuthbert, Bede, and Oswald) buried at the site;
- the continuity of use and ownership over the past 1,000 years as a place of religious worship, learning and residence;
- the site's role as a political statement of Norman power imposed upon a subjugate nation, as one of the country's most powerful symbols of the Norman Conquest of Britain;
- the importance of the site's archaeological remains, which are directly related to its history and continuity of use over the past 1,000 years; and
- the cultural and religious traditions and historical memories associated with the Relics of St Cuthbert and the Venerable Bede, and with the continuity of use and ownership over the past millennium.

5.460 The setting of the WHS is the environment in which it is experienced and understood. The relatively compact and modest scale of Durham City and its tranquil nature, as well as views, impact upon the setting of the WHS. While some of these features can be mapped, the setting cannot easily be defined as a single geographical entity. Its setting can also be derived from our understanding of the historic relationship between places, as well as other environmental factors such as noise or vibration from other land uses in the vicinity. It is therefore imperative that development within the wider setting, even where the WHS cannot be seen, respects the significance of the asset and its overall setting and status in the city. Development outside of the designated boundary can have adverse impacts on either the visual environment of the WHS or on attributes associated with it which contribute to its OUV.

5.461 The setting of the WHS is formed in part by an 'inner bowl' contained by nearby ridges and spurs incised by the meandering River Wear, and a more diffuse 'outer bowl' contained by more distant high ground including the limestone escarpment to the east and south, and higher spurs and ridges to the west. These are known as the 'inner setting' and 'wider setting' in the World Heritage Site Management Plan. They form important horizons and skylines in the backdrop of many views of, from and within the WHS, and contain important vantage points from which the WHS is viewed. Development within these areas can detract from the appearance of the WHS, as can development beyond the outer bowl which breaks the skyline. This is particularly true for tall structures such as wind turbines and masts.

5.462 In considering this policy, particular reference should be made to the SOUV for the WHS and the Durham Castle and Cathedral World Heritage Site Management Plan. The Management Plan provides a strategy for conserving the WHS that meets the needs of the site's users and visitors. It is not a statutory document, but an advisory framework to inform decisions about the management of the site. It aims to:

- conserve the site;
- enhance the character of the site and its surroundings for the benefit of local communities and visitors; and
- maintain the site's active role as a religious, educational and residential environment.

5.463 Applicants will be required to demonstrate that account has been taken of the impact of their proposals upon the significance of the WHS (including cumulative harm) and its setting and demonstrate that those proposals will have no adverse effect upon its OUV. Any harm to, or loss of, designated heritage assets of the highest significance (including World Heritage Sites) should be wholly exceptional requiring clear and convincing justification. Where a development proposal would lead to less than substantial harm to the significance of the asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use and realising the economic potential of the WHS providing benefits are managed in a sustainable manner.

5.464 The impacts of development proposals which fall within the WHS boundary, or potentially impact upon its setting, should be addressed within supporting evidence including Design and Access and Heritage Statements. Considered use of evidence based documents (such as the Durham City Conservation Area Character Appraisal, the Durham Castle and Cathedral WHS Management Plan, and, the ICOMOS Guidance on Heritage Impact Assessments) should be demonstrated within proposals. This includes how proposals need to demonstrate the relative qualitative impacts upon characteristics and attributes of the WHS and its setting, especially those relating to its unique OUV.

5.465 The current WHS Management Plan recommends an enlargement of the site, with the new boundary drawn along the rim of the outer bank between, and including, Elvet and Framwellgate Bridges. The extension has been accepted in principle as a 'minor modification' by UNESCO. This policy will therefore apply to the enlarged site if and when it is officially registered.

Supporting Information

5.466 Due consideration should be given to Environmental Impact Assessment (EIA) regulations which list WHSs as 'sensitive areas'. Development in, or otherwise affecting, the WHS would be Schedule 2 Development and a Screening Opinion will be required from the council which will possibly result in the need for Environmental Impact Assessment.

How will the Policy be monitored?**Indicator:**

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 46 - Stockton and Darlington Railway**Policy 46****Stockton and Darlington Railway**

Development which impacts upon the historic route of the Stockton and Darlington Railway (S&DR) of 1825, the Black Boy and Haggerleases branch lines and the Surtees Railway, together with their associated structures, archaeological and physical remains and setting, will be permitted where the proposal:

- a. seeks to reinstate a legible route or enhance any physical remains and their interpretation on the ground, and otherwise respects and interprets the route(s) where those remains no longer exist;
- b. safeguards and enhances access (including walking and cycling) to, and alongside, the route, branch lines and associated structures, archaeological remains and their setting;
- c. does not encroach upon or result in the loss of the original historic route(s), damage the trackbed excepting archaeological or preservation works, or prejudice the significance of the asset; and
- d. does not prejudice the development of the S&DR as a visitor attraction or education resource.

5.467 The Stockton and Darlington Railway (S&DR) was opened on 27 September 1825 and was the place where passengers were pulled by a locomotive steam engine for the first time and marked the birth of the modern railway network. It is therefore of international importance in the development of rail transport and industrial technology. It differed from other early wagon-ways and railways in its application and development of several areas of new engineering, not least the steam locomotive. The S&DR also established a permanent rail infrastructure providing a regular service transporting both goods and passengers.

5.468 By linking populated areas and attracting additional businesses and industries, the S&DR resulted in population growth and increased movement. It was also designed from the outset to have branch lines as well as the main line, these include the Black Boy, Haggerleases and Surtees lines. Of the main branch lines the Black Boy and Haggerleases lines are of particular relevance to delivering

the long term aims and objectives of the Stockton and Darlington Railway Heritage Action Zone. The Railway dating from 1831 was used for passenger traffic and linked up with the main S&DR line at New Shildon. It is marked by a popular path as far as Daniel Adamson's Coach House on Main Street, Shildon, a significant early railway building. The route of the 1825 line is shown on the policies map, however further mapping work is in progress as part of the Heritage Action Zone project. This will identify a more accurate and comprehensive set of information for mapping purposes, which will be reflected in the Plan at the earliest opportunity following publication.

5.469 Part of the line of the railway is still in use by the rail industry. Along these sections of line which remain operational railway, the permitted development rights and privileges of network and franchise operators still apply although, in exercising these privileges such bodies should be mindful of the historic nature of the route. Documents such as the East Coast Main Line Route Study have already set out the potential improvements which could be made to meet the challenges of increased growth.

5.470 Much of the original line is no longer used and now survives in various levels of preservation. The historic trackbed, remains of the S&DR and the associated branch lines, structures and archaeological deposits are unique in their scale, cross-boundary nature and importance to worldwide railway history. The purpose of this policy is therefore to ensure the continued preservation and enhancement of those sections of the line and associated structures that lie within County Durham. This policy will supplement Policy 44 (Historic Environment).

5.471 The S&DR Historic Environment Audit⁽¹⁷⁰⁾ identifies the historical importance and significance of the railway. The Audit was jointly commissioned by Durham County Council, Darlington Borough Council and Stockton-on-Tees Borough Council. The Audit also provides an action plan and makes recommendations for the conservation, interpretation and management of the route and its component parts. Delivering appropriate improvements to facilitate access for walking and cycling is also highlighted as a major opportunity. For example, it is a long-term aspiration to create a walking and cycling route along the full 26 mile route of the S&DR, along with providing associated interpretation, opening up the route for leisure and tourist visits, and as an education resource. All such improvements must be balanced with the significance of the heritage asset and its conservation. Development affecting the setting of the S&DR must also accord with Policy 29 (Sustainable Design), however, all such improvements must be balanced with the significance of the heritage asset and its conservation.

5.472 Any proposal for development of a S&DR related designated or non-designated heritage asset associated with the route must be informed by the S&DR Historic Environment Audit, the research outcomes published as part of the Heritage Action Zone⁽¹⁷¹⁾, the current aims and objectives of the Rail Heritage Board (or successor body) and any subsequent planning documents adopted by the council, to demonstrate that appropriate regard has been had to the route, the significance of its component parts and the requirements of the Plan.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

170 [S&DR Historic Environment Audit](#).

171 [S&DR Heritage Action Zones](#).

Minerals and Waste

5.473 National planning policy requires the council to plan for the needs of mineral extraction and waste management in order to ensure that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods the country needs, and that waste is managed in a sustainable and efficient manner in accordance with the waste hierarchy. We intend to fulfil these requirements through the preparation of this Plan and a separate Minerals and Waste Policies and Allocations document. The role of these two documents are different. This Plan document sets out strategic policies for minerals and waste in County Durham over the Plan period and:

- identifies, where possible, the scale of future minerals extraction and waste management capacity that will need to be accommodated within the county over the period to 2035;
- sets out as far as possible where and when new provision will be necessary;
- provides clear guidance to enable site specific allocations and planning applications to be considered in both locational and criteria based terms; and
- allocates strategic sites for new minerals and waste development, where necessary.

5.474 The Minerals and Waste Policies and Allocations document⁽¹⁷²⁾ will complement the minerals and waste policies of this Plan. It will set out specific policies for a number of minerals not addressed by this Plan, for example all forms of conventional and unconventional oil and gas including Shale Gas and Underground Coal Gasification (UCG), vein minerals, peat and engineering clay. In addition it will contain detailed development management policies for minerals and waste and, if necessary, it will allocate any non-strategic mineral or waste sites which are required to meet longer term need. Following the adoption of this Plan and in the interim until the Minerals and Waste Policies and Allocations document is adopted, planning applications for new mineral working and waste development will be determined in accordance with the policies of this Plan together with any remaining saved policies of the County Durham Minerals Local Plan (December 2000) and the County Durham Waste Local Plan (April 2005). Once adopted the policies and provisions of the Minerals and Waste Policies and Allocations document will replace any remaining saved policies of the County Durham Minerals Local Plan and the County Durham Waste Local Plan.

Minerals in County Durham

5.475 Minerals are a fundamental natural resource. They are of vital importance to modern economies and are essential to sustainable economic growth and quality of life. They contribute to the local and national economy through both direct and indirect employment⁽¹⁷³⁾ and are essential raw materials for a range of purposes including power generation, without which it would be impossible for the building and construction industry to deliver the new development and infrastructure which is required through the Plan.

5.476 County Durham is a geologically-rich county and possesses a wide range of mineral resources of national and local importance. The production of aggregates⁽¹⁷⁴⁾ for use in the building and construction sector is the largest in terms of output volume in County Durham today. County Durham

172 Further details of the role and scope of the Minerals and Waste Policies and Allocations document are set out in a scoping document which was published alongside the Local Plan Preferred Options.

173 In 2014 a total of 467 direct and indirect jobs were provided by the minerals industry in County Durham. (Source Mineral Extraction in Great Britain Business Monitor PA1007, March 2016, ONS/MHCLG).

174 Aggregates are normally defined as being hard granular, materials which are suitable for use either on their own or with the addition of cement lime or a bituminous binder in construction. In Britain it is common practice to distinguish between primary aggregates and alternative sources such as secondary aggregates. Primary aggregates are produced from naturally occurring mineral deposits,

is a regionally important producer of aggregates and produces significant quantities of magnesian limestone⁽¹⁷⁵⁾, carboniferous limestone, dolerite and sand and gravel every year. Other important non aggregate minerals worked in the county include brick making raw materials including coal measures mudstone and glacial clay to supply two of the region's four remaining brick works; and natural building and roofing stone for a variety of purposes including general walling, building, paving, roofing and architectural building stone.

5.477 Historically, County Durham has also been a major producer of coal. Although all deep coal mines have now closed, continued interest remains in the extraction of coal by surface mined methods. Until very recently magnesian limestone was also worked for industrial purposes⁽¹⁷⁶⁾ for use in the steel industry and a proportion of magnesian limestone, which is either unsuitable for aggregates or high grade uses, is used to produce agricultural lime to correct the acidity in soil. In addition County Durham contains a range of other mineral resources including deposits of fireclay that are sometimes found in association with coal, silica sand and vein minerals such as fluorspar and barytes although none are currently being worked today.

Waste in County Durham

5.478 Significant volumes of waste are currently managed and are forecast to continue to need to be managed in waste management facilities in County Durham over the Plan period. The main types of waste which arise within County Durham and which need to be managed and need to be planned for are Local Authority Collected Waste (LACW), Commercial and Industrial waste (C&I), Construction/Demolition and Excavation Waste (CDEW), Hazardous waste, Low Level Radioactive waste, agricultural waste and waste water/sewage sludge waste⁽¹⁷⁷⁾. Within the county the most significant waste streams by volume are LACW and C&I (which are also referred to as non-hazardous waste) and CDEW. Only small quantities of hazardous waste, agricultural waste, low level radioactive waste and waste water arise and are managed in County Durham.

5.479 Managing waste arisings is a major challenge. It is important that waste arisings are managed in a sustainable manner in order to avoid harm to the environment, human health and the amenity of local communities. The way in which waste is managed has changed dramatically over the last 20 years as have attitudes towards waste management. Prior to the turn of the century, the majority of waste in the county was disposed to landfill utilising voids created by previous mineral extraction, without significant volumes of re-use, recycling or recovery. However, as a result of changes in international and national policy, regulatory and also financial measures, this has now changed and in accordance with the 'waste hierarchy' only waste which cannot be re-used, recycled or some value recovered is now disposed to landfill. The key aim of national policy in England is to work towards a 'zero waste' economy as part of the transition to a sustainable economy⁽¹⁷⁸⁾.

5.480 Through the provisions of the Plan we will set out our overarching strategic planning policies for the management of waste in County Durham over the Plan period. The Plan policies will seek to ensure that future waste arisings are managed sustainably and that waste management is driven up the waste hierarchy, with the aim of less waste being generated through prevention and more waste

extracted for use as aggregate and used for the first time. Secondary aggregates are usually defined as (a) aggregates obtained as a by product of other quarrying and mining operations such as colliery spoil or (b) aggregates obtained as a by-product of industrial processes such as power station ash.

- 175 Magnesian Limestone: Technically a limestone containing between 5 and 15% of the mineral dolomite, the remaining part being largely the mineral calcite. The term is also used to identify Permian age limestone and dolomite features in eastern England.
- 176 Limestone is a rock composed of the mineral calcite, whose principal chemical component is calcium carbonate. Most limestones contain some magnesian carbonate, and where this becomes significant (between 5 and 15%) the rock is described as magnesian limestone. Where the proportion is in excess of 15% the rock is commonly known as dolomite. High Grade Dolomite is dolomite rock which has few impurities, particularly iron oxide, silica and alumina, so that when it is used for the production of magnesia, as a steel flux, as an iron sinter, or in the glass making industry such impurities do not impair the quality of the subsequent product.
- 177 The glossary of terms includes definitions of Local Authority Collected Waste (LACW), Commercial and Industrial waste (C&I), Construction/Demolition and Excavation Waste (CDEW), Hazardous waste, Low Level Radioactive waste, agricultural waste and waste water/sewage sludge waste.
- 178 [Waste Management Plan for England](#) 2013, Department for Environment, Food and Rural Affairs.

being considered and used as a resource and being reused, recycled and recovered. Similarly, in line with the waste hierarchy the disposal of waste arising in the Plan area will only take place as a last resort. The Plan policies will also seek to ensure that the county continues to contain a network of suitably located and accessible waste management facilities which have sufficient waste management capacity to enable the county to continue to manage the range of waste arisings it currently manages at future forecast levels. Important waste management facilities will be safeguarded from both loss and encroachment. The Plan policies will also ensure new waste management facilities are permitted where they assist the efficient collection, recycling, recovery and disposal of waste materials, whilst also ensuring that waste is handled in a manner which protects human health, the environment and the amenity of local communities.

Policy 47 - Sustainable Minerals and Waste Resource Management

Policy 47

Sustainable Minerals and Waste Resource Management

The development of a sustainable resource economy in County Durham will be promoted, encouraged and facilitated by:

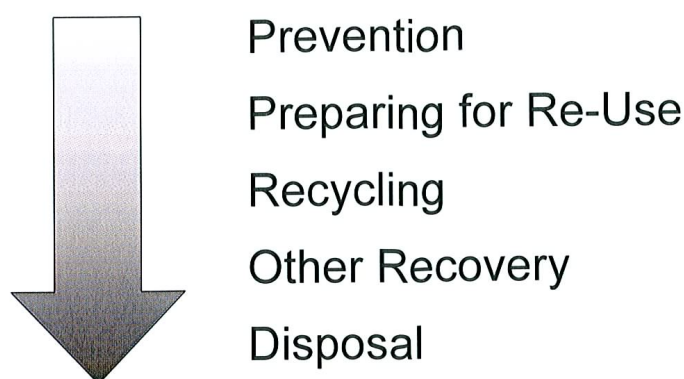
- a. ensuring that waste is managed in line with the waste hierarchy in sequential order. In particular:
 1. supporting proposals that minimise waste production; help prepare waste for re-use; and increase the capacity and capability of the county's network of waste management facilities to reuse, recycle and recover value from waste materials; and
 2. resisting proposals for the disposal of residual waste via landfill or via the incineration of waste without energy recovery unless a need can be demonstrated which cannot be met by existing facilities and by treatment solutions higher in the waste hierarchy.
- b. supporting opportunities for on-site management of waste where it arises and encouraging co-location of waste developments with industrial uses so that waste can be used as a raw material;
- c. encouraging all proposals for mineral extraction to minimise the amount of mineral waste produced in extraction, handling, processing and stockpiling; and to maximise the potential for mineral waste to be used in recycling or on-site restoration. If mineral waste is not required for these purposes then where practicable, a market for its potential use should be identified;
- d. encouraging and permitting the concurrent working of two or more minerals from the same site provided that the operation or restoration of the site is not prejudiced or significantly delayed, the overall proposal remains acceptable and does not have an unacceptable adverse impact on either the environment, human health or the amenity of local communities; and
- e. permitting proposals for aggregate recycling facilities including at locations suitable for permanent waste management facilities and also at active quarries and landfill sites. Proposals at active quarries and landfill sites will only be permitted:

1. for a temporary period not exceeding the permitted life of the quarry or landfill site;
2. provided that the operation or restoration of the site is not prejudiced or significantly delayed; and
3. provided that the overall proposal remains acceptable and does not have an unacceptable adverse impact on either the environment, human health or the amenity of local communities.

5.481 In order to deliver sustainable development, the Plan seeks to encourage sustainable minerals and waste resource management. This is considered important, as how we deal with waste and use minerals is important for our society's future as it affects the long term availability of raw materials and both the local and wider environment in which we all live.

5.482 Waste is a resource and not re-using it or recovering value from it is a misuse of valuable resources. Through future decisions we will seek to ensure that waste is valued and that all waste types are managed in accordance with the principles of the waste hierarchy, which is a legal requirement enshrined in law, whilst also protecting the environment, human health and the amenity of local communities. The waste hierarchy, shown in figure 4 below, gives top priority to waste prevention⁽¹⁷⁹⁾, followed by preparing for reuse⁽¹⁸⁰⁾, then recycling⁽¹⁸¹⁾, other types of recovery⁽¹⁸²⁾ and last of all disposal including incineration without energy recovery. Accordingly, support will be given to proposals and facilities which would help minimise waste production, which would help prepare waste for re-use, and increase the capacity and capability of the county's network of waste management facilities to recycle and recover value from waste materials. The disposal of waste without any recovery of value will be seen as a last resort. Applicants seeking planning permission for new waste development will always need to address the waste hierarchy and demonstrate that there are no other sequentially preferable management routes.

Figure 4 Waste Hierarchy



179 Prevention means: using less material in design and manufacture; keeping products for longer; re-use; and using less hazardous material.

180 Preparing for re-use means: checking, cleaning, repairing products; and refurbishing whole items or spare parts.

181 Recycling means turning waste into a new substance or product. It includes composting if it meets quality protocols.

182 Other types of recovery means include technologies such as anaerobic digestion, incineration with energy recovery, gasification and pyrolysis which both produce energy (fuels, heat and power) and materials from waste; and some backfilling operations, for example using inert waste as part of mineral site restoration.

5.483 The clear aim of Government and international policy is a 'zero waste' or circular economy⁽¹⁸³⁾. The circular economy is an alternative to the traditional 'linear' economy of make, use, and dispose. It will involve more radical thinking and some aspects will be outside the reaches of this Plan such as more intelligent manufacturing and designing out waste. The Plan will support this, however, by supporting innovative businesses through positive planning decisions. Industrial symbiosis, the use of one industry's waste or by products as another's raw material, is another example of the implementation of the 'zero waste' or circular economy. Such proposals help business earn new revenue, reduce waste, reduce costs and carbon emissions and will help to establish markets for recycled materials and provide local employment opportunities. It is therefore our intention to support such applications provided that they are acceptable in all other respects.

5.484 Moving waste up the hierarchy is not simply concerned with new waste developments, all new development proposals including new residential, commercial and industrial development can help in the drive for a more sustainable use of resources and the achievement of a circular economy. This can be from sustainable design and construction, the provision of facilities for the recycling of waste in new development, to designing out waste in the use of materials⁽¹⁸⁴⁾.

5.485 Minerals are a finite natural resource and can only be worked where they found. In order to support their sustainable management and long term conservation it is essential to make best use of them through:

- providing for a steady and adequate supply of minerals including aggregates and industrial minerals to provide the infrastructure, buildings, energy and goods that the country needs;
- encouraging the conservation of minerals through the efficient extraction of minerals and the reduction and productive use of mineral waste;
- encouraging the concurrent working of minerals where two or more minerals naturally occur;
- mineral safeguarding in order to ensure economically important minerals of local and national importance remain available for the use of future generations and are conserved in the long term; and
- encouraging the prior extraction of minerals in advance of sterilising development.

5.486 In order to help facilitate the use of recycled and secondary aggregates and reduce the reliance on land won and marine aggregates, we will seek to permit proposals to establish both permanent and temporary aggregate recycling facilities in appropriate locations. We will seek to expand the county's permanent network of aggregate recycling facilities by permitting new facilities on suitable industrial estates and will encourage the use of mobile aggregate recycling facilities at redevelopment projects. We also recognise that opportunities may exist to locate temporary aggregate recycling facilities at active quarries in conjunction with landfilling operations on a time limited basis, which is in accordance and does not conflict with the primary planning permission at the quarry or the landfill site.

183 The EU published its first [EU Circular Economy](#) Strategy in 2015.

184 Policy 29 (Sustainable Design) addresses these matters and others where possible and seeks to minimise the use of non-renewable and unsustainable resources, including energy, water and materials, during both construction and use by encouraging waste reduction and appropriate reuse and recycling of materials, including appropriate storage space and segregation facilities for recyclable and non-recyclable waste and prioritising the use of local materials. For proposals that are likely to generate significant volumes of waste through the development or operational phases it will be useful to include a waste audit as part of the application.

How will the Policy be monitored?

Indicator:

1. Percentage of proposals permitted that either minimise waste production; help prepare waste for re-use and increase the capacity and capability of the county's network of waste management facilities to reuse, recycle and recover value from waste materials.
2. Percentage of proposals permitted that enable the disposal of waste via landfill or via the incineration of waste without energy recovery where an alternative treatment solution is available at a higher level in the waste hierarchy.
3. Capacity (tonnage) of secondary and recycled aggregate management facilities.
4. Appeals upheld contrary to this policy.

Target:

1. 100%.
2. None.
3. Increase the capacity of secondary and recycled aggregate management facilities (against the baseline figure).
4. None upheld at appeal.

Policy 48 - Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites

Policy 48

Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites

Existing and allocated minerals sites, minerals processing facilities and minerals related transportation infrastructure and important waste management sites⁽¹⁸⁵⁾ shall be safeguarded and protected from all non-mineral and non-waste related development.⁽¹⁸⁶⁾

Planning permission will not be granted for non-minerals or non-waste related development that would result in the loss of existing or allocated minerals processing facilities and minerals related transportation infrastructure and waste management sites unless:

185 Existing and allocated minerals sites, minerals processing facilities and minerals related transportation infrastructure and important waste management sites are listed in Appendix D and shown on the policies map. Where sites are a temporary use of land they shall be safeguarded in accordance with their planning permissions.

186 All minerals and waste allocations within the Plan and the Minerals and Waste Policies and Allocations Document will also be safeguarded upon adoption.

- a. where the facility, infrastructure or site is in active use an alternative suitable site within an acceptable distance can be provided, which is at least as appropriate and acceptable for the use as the safeguarded site; or
- b. the facility, infrastructure or site is not in active use and it can be demonstrated that it no longer meets the current or anticipated future needs of the minerals, building and construction industry or the waste management industry; or
- c. the need for the alternative development outweighs the benefits of retaining the existing, or allocated infrastructure, facility or site.

Planning permission will not be granted for non-minerals or non-waste related development next to a safeguarded minerals processing facility, minerals related transportation infrastructure, minerals site or waste management site, or within a defined minerals or waste site safeguarding zone (where defined in the policies map document) other than for:

- d. exempt development; or
- e. where it can be demonstrated that the new non-minerals or non-waste development would not prevent, prejudice or be prejudiced by the current or future use of the safeguarded infrastructure, facility or site including through provision of adequate mitigation to reduce any impacts to an acceptable level.

All non-exempt proposals within or adjacent to a Minerals and Waste Site Safeguarding Zone will be required to prepare a Minerals and/or Waste Infrastructure Assessment.

5.487 County Durham contains an established network of minerals sites, minerals processing facilities, minerals-related transportation infrastructure and waste management sites. Many of these sites are considered essential to the continued operation of the minerals and construction industry and to the collection and sustainable management of waste in County Durham. The sites which are safeguarded are listed in Appendix D and are identified in the policies map document and include:

- mineral sites - including operational existing crushed rock, sand and gravel, brick clay and natural building and roofing stone quarries and dormant quarries where a new scheme of working and restoration is required to be submitted and agreed prior to working resuming, and allocations for new mineral working;
- mineral processing facilities - including brick works, coated road stone plants, concrete plants and the kilns for the production of calcined material;
- minerals related transportation infrastructure - including rail alignments, rail links to quarries and railheads which could facilitate the sustainable transport of minerals by rail and by sea; and
- waste management sites - important sites associated with the collection and management of a local authority collected waste (LACW), commercial and industrial waste and inert waste including household waste recycling centres (HWRCs), recycling and treatment facilities, waste transfer stations and landfill sites.

5.488 Mineral processing facilities, minerals-related transportation infrastructure and important waste management sites are safeguarded in order to protect them from loss and in order to ensure their continued availability in the long term. While many mineral processing facilities and some waste management sites are temporary permissions and are located within existing active mineral and landfill sites and will continue to be protected by the principal mineral or waste permission, some permanent facilities are located on industrial estates and other locations and, as relatively low value uses, may be vulnerable to competing higher value land uses. However, it is recognised that alternative uses may be permitted in certain circumstances. For example, where it can be demonstrated that an alternative suitable site can be provided within an acceptable distance, or it can be demonstrated that the infrastructure no longer meets the current or anticipated future needs of the minerals, building and construction industry or the waste management industry, or the need for the alternative development outweighs the benefits of retaining the site. Similarly, while the majority of minerals extracted in the county are transported by road and County Durham has only limited mineral transportation infrastructure such as rail heads and rail links to quarries, nonetheless, it is considered necessary to safeguard them in order to help provide opportunities for the sustainable transport of minerals by rail in the future. In particular, any proposal which would breach an unused rail alignment via permanent development will not be acceptable. However, where a link is currently disused, temporary uses which maintain the integrity of the alignment, such as recreational routes, may be permissible.

5.489 The National Planning Policy Framework (NPPF) makes it clear that planning policies and decisions should ensure that new development can be integrated with existing businesses and existing businesses and facilities should not have unreasonable restrictions placed upon them as a result of development permitted after they were established. In order to allow consideration of encroaching proximal development a new designation to be known as a minerals and waste site safeguarding zone has been identified on the policies map around some of the safeguarded sites. The purpose of the minerals and waste site safeguarding zone around such sites is to enable appropriate consideration to be given to the compatibility of proposed new uses, with the existing established minerals or waste related use. For example, it is considered that the introduction of other types of development such as housing, schools and commercial and industrial development that may be sensitive to disturbance from impacts such as noise and dust and may depend upon a high quality local environment (for example food manufacture or glass manufacture) in close proximity to existing or allocated minerals or waste management sites can result in a potential conflict with the established minerals and waste-related uses. In instances where a minerals and waste site safeguarding zone has not been identified, consideration of the compatibility of the existing and proposed adjacent land uses will be required.

5.490 The starting point for the identification of the minerals and waste site safeguarding zones has been a 250 metre zone around all mineral sites (unless blasting is likely to take place, in such instances the zone has been set at 500 metres), 100 metres around all mineral processing infrastructure and 250 metres around all landfill sites. It is considered that these distances are a starting point for consideration and reflect a balance between ensuring that the potential for unacceptable adverse impacts arising is allowed for, whilst limiting the extent to which consultation for safeguarding purposes is required⁽¹⁸⁷⁾. However, it is recognised that not all development may be inappropriate within a mineral and waste site safeguarding zone and for this reason a schedule of exempt development has been prepared (see Appendix C - C3 Minerals and/or Waste Infrastructure Assessment).

187 The 250 metre and 500 metre zones for mineral sites is consistent with the distances the council has used for many years within the County Durham Minerals Local Plan as a starting point for stand off distances, for new or extended mineral sites from existing residential areas and groups of 10 or more dwellings. Similarly, the 250 metre zone for landfill sites is consistent with the distances used within the County Durham Waste Local Plan.

How will the Policy be monitored?

Indicator:

1. Percentage of relevant approved development proposals that do not have an adverse effect or lead to the loss of a safeguarded Minerals Site, Minerals Related Infrastructure or Waste Management site.
2. Percentage of relevant proposals within a Minerals and Waste Site Safeguarding Zone where the compatibility of the proposed development with the safeguarded Minerals Site, Minerals Related Infrastructure or Waste Management site is considered as part of the consideration of the proposal.
3. Appeals upheld contrary to this policy.

Target:

1. 100% of relevant approvals are consistent with policy.
2. 100%.
3. None upheld at appeal.

Policies 49, 50 and 51 - Maintaining the Supply of Primary Aggregates

Policy 49

Primary Aggregates Provision

Throughout the Plan period a steady and adequate supply of primary aggregates will be maintained. This will be achieved by:

- a. ensuring that sufficient permitted reserves will remain available over the Plan period to enable the extraction of 53.2 million tonnes of crushed rock aggregate (comprising magnesian limestone, carboniferous limestone and dolerite) at a rate of 2.8 million tonnes per annum and 5.4 million tonnes of sand and gravel aggregate at rate of 285,000 tonnes per annum;
- b. seeking to permit the extraction of an additional 14.3 million tonnes of carboniferous limestone, which subject to acceptable planning applications forthcoming will supplement existing permitted reserves. However, given the extent of existing permitted reserves of magnesian limestone and dolerite the presumption within this Plan is that no further provision will be required over the Plan period; and
- c. ensuring the maintenance of at least a seven year sand and gravel landbank and of at least a ten year crushed rock landbank at all times whilst ensuring that the capacity of County Durham's quarries to supply a wide range of materials is not compromised.

The capability of County Durham to maintain a steady and adequate supply of aggregates will be monitored through the collection of annual sales and permitted reserves information and will be reported through the council's Local Aggregate Assessment and the Annual Monitoring Report. Additional provision will be made through the review of the Plan.

Policy 50

Locational Approach to the Future Supply of Primary Aggregates

As far as practical, the main focus of aggregate working over the Plan period should fall outside of and not adversely affect the North Pennines Area of Outstanding Natural Beauty (AONB), the County Durham Heritage Coast, or upon the county's Parks and Gardens of Special Historic Interest, Historic Battlefield, Conservation Areas and Scheduled Monuments. In addition, due to the protection afforded to them new aggregate working will be strongly resisted in locations which either contain or could adversely affect internationally and nationally designated sites and irreplaceable habitats. Proposals in or affecting any designated or defined area, site or habitat will be required to meet relevant Plan policies. In relation to specific aggregate minerals:

- a. Magnesian Limestone – In considering any proposals for non-strategic sites in the Minerals and Waste Policies and Allocations document and planning applications, proposals for new working on prominent escarpment slopes will be resisted in order to avoid unacceptable landscape and visual effects;
- b. Carboniferous Limestone - In considering any proposals for non-strategic sites in the Minerals and Waste Policies and Allocations document and planning applications, proposals for new working to meet identified need should normally be located outside of and should not adversely impact upon the North Pennines AONB and internationally and nationally designated sites.
- c. Dolerite - In considering any proposals for non-strategic sites in the Minerals and Waste Policies and Allocations document and planning applications, proposals for new working will only be permitted provided that they do not adversely impact upon the North Pennines AONB and internationally and nationally designated sites; and
- d. Sand and Gravel - In considering non-strategic sites in the Minerals and Waste Policies and Allocations document, proposals for basal permian sand extraction from beneath the floor of existing magnesian limestone quarries will be prioritised, followed by the lateral extension of existing magnesian limestone quarries, followed by new sand and gravel quarries outside of environmentally important areas. In considering both non-strategic allocations and planning applications, if further basal permian sand working is proposed, new or extended workings on prominent escarpment slopes will be resisted in order to avoid unacceptable landscape and visual effects.

Policy 51

Meeting Future Aggregate Requirements

Over the Plan period it is anticipated that the majority of the future needs for both crushed rock aggregate and sand and gravel aggregate working will be met through the working of existing permitted reserves and through the working of sites allocated as strategic sites within the Plan or, if needed, through the working of non-strategic sites allocated in Minerals and Waste Policies and Allocations Document.

1. Allocated Sites

Proposals for new or extended aggregate workings will be permitted subject to appropriate planning conditions where:

- a. the site is allocated as a strategic site under Policy 58 or as a non-strategic site in the Minerals and Waste Policies and Allocations document;
- b. the site is allocated as an extension to an existing aggregate working and it can be demonstrated that additional permitted reserves are required to maintain continuity of supply; and
- c. it can be demonstrated that there will be no unacceptable adverse impacts on the environment, human health or the amenity of local communities.

2. Non-allocated Sites

Proposals for new or extended aggregate workings on land not allocated within the Plan or as a non-strategic sites in Minerals and Waste Policies and Allocations Document will be permitted subject to appropriate planning conditions where:

- a. the need for the proposed additional mineral working can be adequately demonstrated, taking into account the council's most up to date published Local Aggregate Assessment;
- b. the planning benefits of the proposal including economic considerations clearly outweigh any planning objections;
- c. the proposal accords with the locational approach to the future supply of primary aggregate minerals; and
- d. it can be demonstrated that there will be no unacceptable adverse impacts on the environment, human health or the amenity of local communities.

3. Existing Permitted Reserves

In recognition of the importance of the full recovery of permitted reserves, proposals to extend the end date for working and restoration within existing mineral sites will be permitted:

- a. where it can be demonstrated that permitted reserves would otherwise remain unworked at the end of the existing planning permission; and
- b. it can be demonstrated that there will be no unacceptable adverse impacts on the environment, human health or the amenity of local communities.

This presumption will not apply to sites which have not been substantively worked within 10 years preceding the planning permission end date.

5.491 County Durham is a major source of primary aggregates in the North East of England, producing a range of types of crushed rock aggregate. Through this Plan and the Minerals and Waste Policies and Allocations document we will seek to maintain a steady and adequate supply of primary aggregates over the Plan period and beyond. This is considered important in order to support sustainable economic growth and enable County Durham to meet its own needs for primary aggregates whilst making an ongoing contribution to wider needs including that of the North East as a whole. In accordance with Government policy on landbanks and their operation, we will seek to maintain at all times a minimum landbank⁽¹⁸⁸⁾ of at least seven years for land-won sand and gravel and 10 years for crushed rock.

Overall Scale of Future Provision

5.492 The scale of future provision within this Plan has been determined by the council's annual Local Aggregate Assessment (LAA) which we prepare in cooperation with councils in Northumberland and Tyne and Wear. The council's most recent Joint LAA, the Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne & Wear (Joint LAA) was last updated in April 2018.

5.493 Table 10 below calculates the scale of provision which is required over the Plan period to 2035. On the basis of the forecast 'Annual Demand Provision' figures set out within the Joint LAA, it has been calculated that provision should be made to enable the extraction of 53,295,000 tonnes of crushed rock aggregate and 5,415,000 tonnes of sand and gravel⁽¹⁸⁹⁾. Table 10 also sets out the extent of permitted reserves, these are reserves within existing mineral sites which have planning permission for extraction, and after taking into account the scale of provision which is required over the Plan period, the table sets out a positive balance between supply and demand over the period 2017 to 2035.

Table 10 Aggregates Requirement calculations 2017 to 2035 (19 years)

	Crushed Rock (all figures in tonnes)	Sand and Gravel (all figures in tonnes)
Sales in 2016	2,990,375	322,129
Ten year sales average (2007 to 2016)	2,488,100	225,500
Three year sales average (2014 to 2016)	2,805,000	285,000

188 The landbank figure for both crushed rock and sand and gravel has been calculated using the annual demand figure set out within the [Joint Local Aggregate Assessment for County Durham, Northumberland and Tyne and Wear](#) (Joint LAA) (2018). In essence a landbank is a stock of permitted reserves with planning permission for mineral extraction. It includes all aggregate sites with planning permission for future working but does not include currently dormant sites where a new scheme of modern working and restoration conditions are required under the Planning and Compensation Act 1991 or the Environment Act 1995. The minimum length of the landbank reflects the time that is needed to obtain planning permission and bring replacement operations into full production.

189 The Joint LAA (2018) identifies an annual demand requirement figures of 2,805,000 tonnes for crushed rock and 285,000 tonnes for sand and gravel. The total demand provision figures over the period to 2035 are calculated using these figures. Reflecting that 2016 sales and permitted reserves information are available the forecasts reflect the position over the 19 year period 1 January 2017 to 31 December 2035.

	Crushed Rock (all figures in tonnes)	Sand and Gravel (all figures in tonnes)
Annual Demand Provision Figure (as set out in Joint Local Aggregate Assessment (April 2018))	2,805,000	285,000
Demand Forecast 1.1.17 to 31.12.35 ¹	53,295,000	5,415,000
Permitted Reserves 31.12.16	131,389,000	7,610,000
Landbank years at 31.12.16	46.8 years	26.7 years
Balance between supply and demand (2017 to 2035) ¹	+78,094,000	+2,195,000

Source: Joint Local Aggregates Assessment for County Durham, Northumberland and Tyne and Wear (April 2018). Notes 1: The demand forecast figures for 1.1.17 to 31.12.35 and the balance between supply and demand (2017 - 2035) have been calculated to align with the plan period by using the annual demand provision figure.

5.494 Despite the overall healthy quantitative demand and supply position we have also sought to consider the ability of County Durham's aggregates quarries to achieve the scale of production required to both maintain sales in accordance with the 'Annual Demand Provision' figure set out in the Joint LAA (April 2018) and the scale of working resulting from the recommended sub-regional apportionment of the Government's June 2009 National and Regional Aggregate Supply Guidelines⁽¹⁹⁰⁾. In addition we have also considered the ability of County Durham's aggregates quarries to produce the range of types of crushed rock aggregate and sand and gravel aggregate that County Durham has traditionally produced. This has led the council to identifying a specific need for an additional 14.3 million tonnes of carboniferous limestone. These matters are discussed below and are considered by each of the main aggregate mineral types worked in County Durham.

Magnesian Limestone

5.495 Magnesian limestone underlies most of East Durham and has traditionally been divided into the lower, middle and upper magnesian limestone⁽¹⁹¹⁾. The most commercially important part is the lower magnesian limestone (Raisby Formation), which outcrops along the escarpment of the East Durham Limestone Plateau between Pitlington and Shildon. Within this part of the plateau there is a long history of quarrying which together with both past and current quarrying activity has had a significant impact upon the area.

5.496 By scale of production, magnesian limestone for aggregate uses is the most important mineral worked in County Durham today. Prior to the current economic recession approximately 2.5 million tonnes of magnesian limestone was extracted from County Durham's permitted magnesian limestone quarries and used for aggregate purposes every year, before falling to approximately 1.2 million tonnes in 2012. More recently we estimate that production of magnesian limestone for aggregate uses has risen to approximately 2 million tonnes in 2016 reflecting the recovery of the economy and

190 National and Sub National Guidelines are the Government's new name for the National and Regional Aggregate Supply Guidelines. The last National and Regional Aggregate Supply Guidelines were published by the Government in June 2009. While these guidelines were never formally apportioned the recommended apportionment for County Durham proposed an apportionment of 5 million tonnes of sand and gravel (312,500 tonnes per annum) and 59.4 million tonnes of crushed rock (3,712,500 tonnes per annum).

191 The Magnesian Limestone has been traditionally divided into three formations the Lower Magnesian Limestone (Raisby Formation), Middle Magnesian Limestone (Ford Formation) and Upper Magnesian Limestone (Seaham, Roker Dolomite and Concretionary Limestone Formations).

demonstrating the ability of county's quarries to respond positively to increases in aggregate demand. The county's magnesian limestone quarries are also recognised as an important source of non-aggregate material⁽¹⁹²⁾.

5.497 A significant proportion of the county's crushed rock landbank lies within the county's existing magnesian limestone quarries. At the end of 2016 permitted reserves of magnesian limestone aggregate were estimated to be approximately 102 million tonnes. Available evidence provided by operators also indicates that many of the county's magnesian limestone sites also have a significant unrealised productive capacity. In overall terms we consider that existing sites will be sufficient to meet the future need for magnesian limestone aggregate over the Plan period.

5.498 The County Durham Minerals Local Plan (MLP) adopted in December 2000 set a strategy for the working of quarries on the magnesian limestone escarpment in County Durham and, with the exception of making explicit provision for further high grade dolomite workings at Thrislington West Quarry, it set a presumption against future new working and extensions over the MLP plan period which ran to 2006. This approach reflected the significant extent of existing permissions at the time the MLP was adopted and the need to minimise the direct and cumulative impact of present and future workings. Despite significant extraction of magnesian limestone for both aggregate and non-aggregate working since the MLP was adopted the basis of this approach remains valid today.

5.499 For many years agricultural lime which is used to neutralise soil acidity and correct magnesium deficiencies has been produced at a number of the county's magnesian limestone quarries, as an additional product or as a by-product, where the primary purpose of mineral extraction has been the production of aggregates or for use in the steel and chemical industry. The agricultural lime which has been produced has either consisted of the fines which remain after magnesian limestone and high grade dolomite have been crushed and screened to meet specifications for aggregates or other markets or from specific upper horizons of the magnesian limestone succession which are unsuitable for aggregate purposes.

5.500 With the exception of Bishop Middleham Quarry which has produced consistent tonnages of agricultural lime for a number of years available information indicates that agricultural lime production has generally been small scale or inconsistent, with large quantities being produced in one year followed by small quantities or no production the following year. For example, records show that Witch Hill Quarry last produced small quantities of agricultural lime in 2005. However, following the grant of planning permission to enable the extension of Bishop Middleham Quarry it is now clear that this quarry in association with other quarries on the East Durham Plateau will be able to maintain the supply of agricultural lime consistent with previously reported levels of sales⁽¹⁹³⁾.

5.501 Given the close association of aggregates and agricultural lime extraction any proposal for further agricultural lime extraction which also includes aggregate extraction will be determined in accordance with Policy 51 (Meeting Future Aggregates Requirements).

192 Until they were recently mothballed a process of calcination has been used at the kilns adjacent to Thrislington West Quarry to process up to 400,000 tonnes of high grade dolomitic limestone per annum to produce a high grade product for use in the steel industry (see Policy 57 (The Conservation and Use of High Grade Dolomite)). Agricultural lime, which is used to correct the acidity of soil, has been produced at six quarries as a secondary product (Thrislington West Quarry, Crime Rigg Quarry, Coxhoe Quarry, Aycliffe Quarry, Witch Hill Quarry and Bishop Middleham Quarry). In recent years reported sales of agricultural lime have been approximately 200,000 tonnes per annum, with 220,303 tonnes being sold in 2009, 202,248 tonnes in 2010, 205,261 tonnes in 2011, 120,377 tonnes in 2012, 177,445 in 2013, 200,320 in 2014 and 217,000 in 2015.

193 Following the grant of planning permission to extend Bishop Middleham Quarry in March 2015, and taking into account other information, the council's best estimate of dedicated reserves suitable for use for agricultural lime, is that approximately 4.4 million tonnes of reserves remain available for extraction in County Durham. This includes at least 2.8 million tonnes at Bishop Middleham Quarry and further reserves at Witch Hill Quarry, Crime Rigg Quarry and at Running Waters Quarry. Through a submission made as part of the ROMP at Witch Hill Quarry in 2015 it is understood that the quarry contains 3,125,000 tonnes of recoverable mineral. It is assumed that 50% of this material would be suitable for agricultural lime with the remainder suitable for aggregates.

Carboniferous Limestone

5.502 Carboniferous limestone naturally occurs in West Durham and outcrops fairly continuously along the sides of Weardale above Frosterley and to the south of Barnard Castle along the A66. Although similar in some respects to magnesian limestone, carboniferous limestone often differs in some of its physical properties. In particular, it tends to be harder and more durable than magnesian limestone and therefore suited to more heavy duty uses, for example in road building and sea defence works. By volume it is the second most important mineral worked in the county today. Prior to the economic downturn approximately 900,000 tonnes was extracted from County Durham's four active quarries every year. Using more recent information provided by operators, we now estimate that production of carboniferous limestone for aggregate use was approximately 700,000 tonnes in 2016.

5.503 Planning to maintain supplies of carboniferous limestone is a major challenge. For many years no information has been available on the extent of permitted reserves or sales. However, through work to develop an evidence base, we have been able to identify the overall contribution that the county's existing carboniferous limestone sites make to overall crushed sales and the extent of remaining permitted reserves within individual sites. We estimate that on 31 December 2016, approximately 11.8 million tonnes, (approximately 9% of the county's overall crushed rock landbank) remain within the county's four remaining carboniferous limestone sites.

5.504 Having considered the distribution and extent of permitted reserves of carboniferous limestone it is considered that without additional provision it is likely that there will be a shortfall of carboniferous limestone with at least two or three of the county's four existing sites becoming exhausted during the Plan period. In quantitative terms it is calculated that an additional 5.3 million tonnes of carboniferous limestone will be required to be permitted to meet need to 2035, with a further nine million tonnes of carboniferous limestone being required to meet longer term need and prevent the exhaustion of all permitted reserves by 2035. In order to meet a significant proportion of the identified need two strategic site allocations are made under Policy 58 to enable extensions to Hulands Quarry, near Bowes and Heights Quarry, near Westgate.

Dolerite

5.505 Dolerite is found as intrusions into the carboniferous limestone rocks in the west of the county. It is exceptionally hard and durable and therefore an important source of aggregate for the top wearing course of roads which have to withstand heavy volumes of traffic. It is also used as a concrete aggregate and in the construction of sea defences. Currently, there is only one quarry producing dolerite in the county, Force Garth Quarry in Teesdale. There are three dormant dolerite quarries (Park End, Crossthwaite and Middleton Quarry) where working could theoretically resume, following the agreement of new modern working and restoration conditions by the council under the provisions of the Environment Act 1995 (or any statutory modification to or re-enactment of that Act) and subject to permitted reserves remaining.

5.506 In considering how future supplies of this mineral can be maintained, given the extent of permitted reserves at Force Garth Quarry, (estimated at approximately 18 million tonnes within the current working area and recent sales approximately 150,000 tonnes per annum), more than sufficient permitted reserves of this mineral exist to meet the long term needs for this mineral without the grant of any further planning permissions in the Plan period⁽¹⁹⁴⁾. In terms of other additional sources of supply, proposals for further working including at dormant sites would require a separate assessment

194 The majority of the Force Garth permission is designated as part of the Moor House-Upper Teesdale SAC and North Pennines Moors SPA under the EU Habitats and EU Wild Birds Directive. Until recently this had led to uncertainty over the future of this quarry. While the periodic review of this site under the Environment Act is ongoing the County Council has now concluded the Regulation 63 Review under the Conservation of the Habitats and Species Regulations 2010 (as amended). It has been concluded that the proposed working will have some affect but no likely significant effect on the integrity of the European designated sites either alone or in combination with other mineral consents.

under the Habitats Directive. However, in the long term if it were not possible to extract dolerite in County Durham it is possible that the need for this mineral would have to be met from quarries outside of County Durham.

Sand and Gravel

5.507 There are two main types of sand and gravel worked as an aggregate in County Durham: basal permian sand which outcrops at the foot of the magnesian limestone escarpment and then extends at depth under the overlying magnesian limestone; and fluvial and glacial sand and gravel which is more widespread in its occurrence.

5.508 Taking into account the additional permitted reserves which have become available in recent years and the potential productive capacity of the county's existing sand and gravel sites, which significantly exceeds both recent and historical production levels over the last 10 years, we now believe that more than sufficient sand and gravel will be available to enable County Durham to meet its own needs for sand and gravel and to make an appropriate contribution to meeting the wider regional need in the period up to 2035. We also believe that County Durham's five sand and gravel sites should be able to maintain sales at a level which is more than sufficient to meet the annual demand provision figure as set out in the Joint LAA (April 2018). Nevertheless, having considered the distribution of permitted reserves across County Durham's five sand and gravel sites, we recognise that there may be a need to extend the period of working at existing sites in order to allow the full recovery of existing permitted reserves. For example, this is likely to be required at Old Quarrington and Cold Knuckles Quarry and potentially at Crime Rigg Quarry.

5.509 Through the preparation and production of the annual Joint LAA we will monitor the overall extent of the sand and gravel landbank, its adequacy and its distribution across County Durham's sand and gravel quarries. If necessary, we will identify the need for further planning permissions to be granted. However, on the basis of the extent and adequacy of the sand and gravel landbank, we currently do not anticipate that there will be a need for any further planning permissions to be granted until towards the end of the Plan period. Through the preparation of the Minerals and Waste Policies and Allocations document we will consider proposals for new allocations for sand and gravel working and we will seek to allocate environmentally acceptable sites to meet longer term need. We will do this in order to provide a degree of certainty as to where new or extended sand and gravel workings may be permitted in the long term in order to ensure long term continuity of supply.

5.510 In terms of the locational approach to future sand and gravel working, it is clear that the county's basal permian sand resource is an important resource, which is well related to the markets in the North East and has potential to sustain significant additional working into the long term subject to environmental acceptability of individual proposals, in particular hydro-geological impacts upon groundwater resources and visual and landscape impact issues. The locational strategy for longer term sand and gravel working will be to prioritise the working of allocations for further basal permian sand extraction from beneath the floor of existing magnesian limestone quarries, followed by the lateral extension of existing magnesian limestone quarries, or via extensions to other sand and gravel sites or new sites outside of environmentally important areas⁽¹⁹⁵⁾.

Meeting Future Aggregates Requirements

5.511 Over the Plan period the council anticipates that the majority of the county's forecast future requirements for both crushed rock and sand and gravel will be able to be met through the working of existing permitted reserves. In addition the council also anticipates that if the overall scale of provision outlined in Policy 49 is too low, that nevertheless that there is significant scope for any

195 The locational approach to sand and gravel working and in particular basal permian sand is intended to apply to the consideration of any proposed non-strategic allocations in the Minerals and Waste Policies and Allocations document.

additional demand to be met from the county's existing permitted reserves. In any event should the overall scale of provision be too low, this can be corrected through the review of the Plan or through the preparation and review of the Minerals and Waste Policies and Allocations document.

5.512 Bearing in mind that the location of the majority of future working over the Plan period has already been determined through past planning permissions, Policy 50 seeks to provide locational guidance on where new working should be guided to or guided away. Policy 51 provides the strategic decision making framework for determining all planning applications for both new sites and extensions to existing aggregate workings (including agricultural lime) in County Durham over the Plan period. Specifically, Policy 51 (part 1) provides criteria for determining strategic site allocations in the Plan and any non-strategic allocations in the Minerals and Waste Policies and Allocations Document; Policy 51 (part 2) provides criteria for determining planning applications for non-allocated sites; and Policy 51 (part 3) provides criteria for determining planning applications to vary the end date of existing sites where it is considered necessary to do so to ensure the full recovery of existing permitted reserves.

Consideration of non-allocated sites

5.513 In accordance with Government guidance when considering future planning applications for aggregates working the starting point will always be to consider whether the future need for the mineral can be adequately demonstrated taking into account key matters such as forecast need and the capability of existing permitted reserves and of existing allocations to meet forecast need, having regard to the latest information available, as set out in the council's most recent published Local Aggregate Assessment (LAA). If appropriate, other relevant information will be taken into account in assessing need.

5.514 We will always consider the full range of planning benefits which could include amongst other benefits:

- the safeguarding or creation of new employment associated with the mineral extraction;
- the contribution of new or extended workings to increased sales where it can be demonstrated that further production is necessary to enable the annual demand provision figure to be met and it can be demonstrated that this cannot be met by existing sites;
- helping to ensure that competition in the supply of aggregates is maintained⁽¹⁹⁶⁾;
- enabling the continued production of non-aggregates as a by-product of extraction such as clay for use in brick manufacture, engineering clay or agricultural lime; and
- securing the early cessation of working at a particular site and its early and high quality restoration, in exchange for new permitted reserves within an alternative site which has no unacceptable adverse impacts on the environment, human health or the amenity of local communities.

5.515 Similarly, we will always consider the full range of planning objections which may include any direct, indirect and cumulative unacceptable adverse impacts on the county's environment, human health or the amenity of local communities. The harm that additional working will have on the ability of County Durham's existing mineral sites to be worked and restored in accordance with their existing planning permissions will always be considered in the planning balance. In this regard it is important that existing mineral operators are provided with the confidence to justify investment in new plant and equipment and that any major investment decisions will secure a reasonable rate of return. Similarly, it is also important that residents' expectations are given due consideration and that sites are worked in accordance with the existing planning permissions whenever possible.

¹⁹⁶ In considering this issue the council will always consider the extent of permitted reserves within the applicant's control within both County Durham and within the North East region as a whole. In addition, the council will consider competition on a regional basis.

5.516 We will always consider whether the proposal accords with the locational approach to the future supply of aggregates and whether it can be demonstrated that there will be no unacceptable adverse impacts on the environment, human health, or the amenity of local communities. However, where existing permitted reserves are more than sufficient to meet longer term needs, unless explicit provision is recognised as being needed in this Plan or identified within the council's most recent published LAA, applicants seeking planning permission for new or extended aggregate workings will always need to provide robust reasons as to why further working is necessary. In making any determination we will also consider the capability of existing sites to meet the scale of working which is required to meet the annual demand requirement within the council's most recent published LAA.

Competition

5.517 Government policy requires that we should ensure that a large existing landbank bound up in very few sites should not stifle competition. This is a complex matter and it must be stressed that the council has no control over the merger and acquisition strategies of private companies. At the end of December 2017 the crushed rock landbank in County Durham was distributed across 15 sites in the ownership of six companies, although a significant proportion of the crushed rock landbank lies within seven sites which are within the ownership of three mineral operators. Similarly, the sand and gravel landbank in County Durham is distributed across five sites within the ownership of three mineral operators. However, we are not aware of any evidence to demonstrate that competition in the county is stifled. Indeed County Durham's six crushed rock aggregate companies and three sand and gravel companies supply successfully and compete with operators based within and supplying into Tyne & Wear, the Tees Valley and North Yorkshire. Furthermore, the results of the Competition Commission inquiry into the 'Operation of the Aggregates, Cement and Ready-mix Concrete Market' which were published in May 2013 are also pertinent and concluded that there were no adverse effects of competition in any market supplying aggregates in Great Britain.

5.518 Nevertheless, in order to accord with Government policy, through this Plan we must seek to ensure that competition can be maintained. Where competition is raised by applicants as a reason in support of a proposal the council will require conclusive evidence that competition is being stifled and that a proposal would help maintain competition in the long term. Given that County Durham's aggregate quarries operate on a regional level the council will require evidence that competition is being stifled at a regional level in order to give this issue any weight in the planning balance.

Provision of information to aid future decision making

5.519 The maintenance of landbanks for the Plan period and beyond will depend on the availability of consistent, reliable and, where necessary, publicly available information of sufficient detail to enable the council to come to a considered judgement on the adequacy of the landbank.

Sites Registered as Dormant and as Interim Development Orders

5.520 The council's Minerals Technical Paper identifies that within County Durham there are many mineral sites which have been registered dormant or as Interim Development Orders under the Planning and Compensation Act 1991 and the Environment Act 1995. While many of these mineral sites are for non-aggregates there are also a number of carboniferous limestone, magnesian limestone, dolerite and sand and gravel sites which potentially once new working and restoration conditions are agreed could supplement the existing crushed rock and sand and gravel landbanks. However, the council places no reliance upon the potential of these sites to meet future need for aggregates working and expects that it is unlikely that many of these sites will ever be worked prior to their end date of 21 February 2042.

How will Policy 49 (Primary Aggregates Provision) be monitored?

Indicator:

1. Annual and cumulative sales of sand and gravel.
2. Annual and cumulative sales of crushed rock.
3. Additional permitted reserves of carboniferous limestone.
4. Crushed rock land bank (years).
5. Sand and gravel land bank (years).

Target:

1. The extraction of 5.4 million tonnes of sand and gravel at a rate of no less than 285,000 tonnes per annum over the 19 year period 1.1.2017 to 31.12.2035.
2. The extraction of 53.2 million tonnes of crushed rock at a rate of no less than 2.8 million tonnes per annum over the 19 year period 1.1.2017 to 31.12.2035.
3. That planning permission will be granted to permit the release of an additional 14.3 million tonnes of carboniferous limestone over the 19 year period 1.1.2017 to 31.12.2035.
4. To maintain at least a minimum 10 year land bank of crushed rock.
5. To maintain at least a minimum 7 year land bank of sand and gravel.

How will Policy 50 (Locational Approach to the Future Supply of Primary Aggregates) be monitored?

Indicator:

1. Percentage of permissions granted on sites or extensions to sites located on land outside and land not adversely affecting designated and defined areas and in accordance with specific policy criteria

Target

1. 100%

How will Policy 51 (Meeting Future Aggregate Requirements) be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 52 - Brick Making Raw Materials**Policy 52****Brick Making Raw Materials**

Proposals for new workings to meet the raw material needs of brickworks in County Durham will be permitted where:

- a. they are required to maintain a stock of permitted reserves of appropriate properties and that this need cannot be met from an existing permission associated with the brickworks. Provision will be made to maintain a minimum supply of feedstock equivalent to a 25 year stock of permitted reserves for each brickworks in the county; and
- b. there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

Proposals for new workings which are intended to serve brickworks outside of County Durham will be permitted where:

- c. they are required to maintain a 25 year stock of permitted reserves of appropriate properties and this need cannot be met from an existing permission or allocation related to the associated brickworks;
- d. it can be demonstrated that the raw material needs cannot be met from a site or sites closer to the brickworks; and
- e. there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

The provision of reserves from dedicated on-site pits will be preferred. Accordingly, proposals for new standalone sites will only be permitted where it can be demonstrated that provision can not be met from dedicated on-site pits.

Where planning permission is granted, planning obligations or conditions will be used to restrict the use of the brick making raw material to the associated brickworks.

Proposals to vary the time period of working at existing workings will be permitted where it can be demonstrated that permitted reserves would otherwise remain unworked at the end of the existing permission and provided that there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

5.521 County Durham is an important source of brick making raw materials including coal measures mudstone, glacial clay and fireclay⁽¹⁹⁷⁾. County Durham contains one operational brickworks⁽¹⁹⁸⁾. Operationally, Todhills Brickworks is reliant on coal measures mudstone won from a dedicated clay pit adjacent to the brickworks, supplemented by supplies of fireclay from surface mined coal sites. The Union Brickworks operated by Ibstock Brick Ltd, is at Birtley in Gateshead, although the quarry (Birtley Quarry) which supplies the brickworks lies within County Durham.

5.522 Ensuring continued supply of brick making raw materials is essential in ensuring that existing brickworks can continue to produce the construction materials necessary to deliver new built development both in the county and in the wider region. We will therefore seek to maintain supplies of coal measures mudstone to meet the long term supply requirements of the operational brickworks in the county and will work with Gateshead Borough Council under the Duty To Cooperate to meet the supply requirements of the Union Brickworks for glacial clay. However, in accordance with the existing pattern of working, in making future provision our preference is that further reserves should be obtained wherever possible from dedicated on-site pits adjacent to the brickworks. This is considered important in order to help minimise and restrict environmental impacts.

5.523 Long Lane Quarry currently meets the operational needs of Todhills Brickworks but is due to cease mineral extraction in 2019 and so cannot provide a 25 year landbank or meet longer term needs. In order to meet long term needs the intention of the Plan is to allocate an area of search to the south of the brickworks.

5.524 Birtley Quarry currently meets the operational needs of the Union Brickworks which lies at Birtley within Gateshead Borough. The current permission at Birtley Quarry was issued in August 2017 and will enable the needs of the Union Brickworks for glacial clay to be met until 2044. In the long term in order to maintain a 25 year stock of permitted reserves it is recognised that potentially further provision may be needed from within County Durham or an alternative site in Gateshead Borough. In this respect, clay of suitable quality for brick manufacture is currently safeguarded at Lamesley in the Newcastle/Gateshead One Core Strategy⁽¹⁹⁹⁾.

5.525 Interest in sourcing brick making raw materials from County Durham to meet the needs of other brickworks in the region cannot be discounted. Given that it is generally desirable that brick making raw materials should be extracted as close as practicable to the brickworks that it supplies, on this basis in addition to environmental, amenity and health considerations proposals must demonstrate that no closer site exists closer to the intended brickworks where the material is to be used.

How will the Policy be monitored?

Indicator:

1. Number of years of approved reserves at brickworks in County Durham.
2. Number of years of approved reserves at the Union Brickworks at Birtley in Gateshead.

197 Due to the close association of fireclay and coal seams and that surface mined coal sites provide one of the few viable sources of fireclay from which they are derived as a by-product proposals to extract fireclay will normally be considered under Policy 53 (Surface Mined Coal and Fireclay).

198 For many years there have been two brickworks in County Durham, (Eldon and Todhills), both operated by Wienerberger. However, Eldon Brickworks was mothballed by its operator in 2008 and was formally closed in 2012.

199 Paragraph 13.16 of the Newcastle/Gateshead 'One Core Strategy - Planning For The Future Core Strategy and Urban Core Plan', which was adopted on 26 March 2015, states, 'The only potentially workable deposit of brick clay is located at Lamesley in Gateshead and is safeguarded'.

Target:

1. To maintain a minimum 25 year stock of permitted reserves at brickworks in County Durham.
2. In association with Gateshead Council to maintain a minimum 25 year stock of permitted reserves at the Union Brickworks at Birtley.

Policy 53 - Surface Mined Coal and Fireclay**Policy 53****Surface Mined Coal and Fireclay**

Proposals for the extraction of coal and/or fireclay should not be granted permission unless:

- a. they are environmentally acceptable and do not have an unacceptable adverse impact on human health or the amenity of local communities, or can be made acceptable by planning conditions or obligations; or
- b. they provide national, local or community benefits which clearly outweigh the unacceptable adverse impacts of the proposal (including any residual environmental impacts) to justify the grant of planning permission. In assessing such benefits particular regard will be had to:
 1. the economic benefits of the proposal including its contribution to the maintenance of high and stable levels of economic growth through the provision of domestically produced coal for power generation and other sectors of the UK economy and the employment generated through the working, restoration and after-use of the site;
 2. the environmental benefits of the proposal in particular those that can be delivered through the high quality restoration and after-use of the site;
 3. the directly related local and community benefits generated by the proposal which will improve the economic and social well-being of the local communities affected by the proposed development;
 4. the contribution of the proposal towards the comprehensive reclamation of areas of derelict or contaminated land, or the remediation of coal mining legacy issues;
 5. the avoidance of the sterilisation of mineral resources in advance of development which is either subject to a planning permission or allocated in the County Durham Plan or a Neighbourhood Plan and is in accordance with Policy 56 (Safeguarding Mineral Resources); and
 6. the need for clay to meet the ongoing needs of local brickworks or if this is not possible, other brickworks elsewhere in the country.

All proposals for surface coal mining should avoid the unnecessary sterilisation of fireclays and brickclays.

In order to minimise the environmental impacts of surface coal extraction and provide certainty, the piecemeal working of surface mined coal sites will not be permitted.

5.526 County Durham contains extensive areas of land which are underlain by coal, and for many years has been an important source of both deep mined and surface mined coal⁽²⁰⁰⁾. Like many other coalfield areas, the deep mined industry in County Durham declined during the second half of the 20th Century and the last two deep mines closed in 1993⁽²⁰¹⁾. However, during the same period large areas of the exposed coalfield within County Durham were worked by surface mined methods. Despite this long history of working the British Geological Survey believe that large coal reserves still remain within the county.

5.527 Unlike other minerals such as aggregates where quantitative targets have been provided, it is not the role of the planning system to set limits on the scale of production. Instead, for new surface mined coal working, it is for individual operators to determine the level of output they wish to aim for, in light of market conditions, and for the councils to determine the acceptability of individual projects through the development management process.

5.528 In recent years the scale of surface mined coal working in County Durham has been limited and following a short period of time where no working occurred, there are now two surface mined coal sites in operation in County Durham.⁽²⁰²⁾ Over the Plan period we do not consider that the scale of surface mined coal working will significantly increase over existing levels and indeed the scale of working may fall as a result of government policy which requires the phasing out of the unabated use of coal in electricity generation by 2025. However, it is considered that the national need for coal for electricity generation and other sectors including industry, or the consequent wider non-site specific environmental impacts of the use of coal are not matters which this policy should focus. Instead this policy needs to address the site specific environmental acceptability of individual proposals for new surface mined coal extraction, and if proposals are not environmentally acceptable whether there are national, local or community benefits which clearly outweigh the likely impacts.

5.529 In locational terms, we will seek to provide a measure of certainty to both operators and the public by considering potential surface mined coal allocations in the preparation of the Minerals and Waste Policies and Allocations document and allocating them if they are environmentally acceptable and do not have an unacceptable adverse impact on human health or the amenity of local communities. However, to date, no proposals for site allocations have been submitted for consideration. In addition the policies map which accompanies the Plan identifies the extent of the exposed coalfield and the key environmental designations across this part of the county.

5.530 The exposed coalfield coincides with the most densely settled and populated part of the county and many communities and the local environment in parts of the exposed coalfield have historically experienced the cumulative impacts of a succession of sites over many years. However, it is acknowledged that the limited scale of working in recent years now means that the scope for cumulative impacts from other surface coal sites has now significantly reduced and indeed many

200 Within County Durham the coalfield chiefly covers area east of the Pennine Uplands. The west of the coalfield, where the seams lie close to the surface or actually outcrop is known as the exposed coalfield. Further east the, the coal measures are overlain by a thick overburden of rock to form the concealed coalfield.

201 The last two deep coal mines in County Durham, Easington and Seaham/Vane Tempest ceased production in 1993.

202 Following the cessation of coaling at the Park Wall North surface mined coal site near Tow Law in 2013, no coal was extracted in County Durham until 2018 when coaling commenced at the Bradley surface mined coal site near Leadgate and the Field House surface mined coal site near Pitlington.

modern surface mined coal schemes incorporating mitigation measures may be able to be worked in an acceptable manner whilst delivering high quality restoration schemes which will benefit the local environment.

5.531 Within the exposed coalfield there are areas of valued landscapes including a small part of the North Pennines Area of Outstanding Natural Beauty and Areas of Higher Landscape Value (AHLV). Proposals for surface mined coal development will always need to fully consider the potential harm to the character, quality or distinctiveness of the landscape within which they are proposed to be accommodated and to important features and views. Proposals should always seek to incorporate appropriate measures to mitigate adverse landscape and visual effects to acceptable levels. In particular, regard should always be had to the special qualities of designated landscapes and the County Durham Landscape Character Assessment and the County Durham Landscape Strategy.

5.532 Within the exposed coalfield there are also small areas designated as Special Protection Areas and Special Areas of Conservation under the EU Wild Birds Directive and EU Habitats Directive. In accordance with the Conservation of Habitats and Species Regulations 2010 (as amended) a Habitats Regulations Assessment (HRA) will need to be undertaken where a development has the potential to have an adverse effect upon a Natura 2000 site by virtue of its nature and the site's particular sensitivities. Developers may be required to provide information to inform the screening and/or Appropriate Assessment stages of the HRA. Where the HRA cannot ascertain that a development either on its own or in combination with other plans or projects would not have adverse impacts upon the integrity of a Natura 2000 site and cannot be adequately mitigated planning permission will be refused. In these instances outweighing local or community benefits will not apply.

5.533 In instances where proposals for new working are considered to be environmentally unacceptable or have an unacceptable adverse impact on human health or the amenity of local communities and can not be made acceptable by planning conditions or obligations we will always consider whether there are any outweighing national, local or community benefits. A detailed policy on the benefits of minerals extraction will be including within the Minerals and Waste Policies and Allocations document.

5.534 We acknowledge that the nature of modern surface coal mining involving the movement of large amounts of material makes it a particularly suitable method of addressing contaminated and/or derelict land and addressing the stabilisation of unstable ground. Although only limited amounts of derelict land remain within the coalfield, there may be scope to allow new working as a means of reclaiming such land without the public expense that would otherwise arise. It is also possible that new areas of dereliction may arise during the Plan period which require reclamation. In assessing any such applications it will be important to ensure that the area proposed for extraction fairly and reasonably relates to the extent and nature of dereliction. Similar benefits may arise in allowing surface mined coal extraction where it would enable the reclamation of contaminated land. As with derelict land it will be important to ensure that any area proposed for extraction fairly and reasonably relates to the extent and nature of contamination.

5.535 The avoidance of unnecessary sterilisation of minerals, wherever possible, will help to reduce pressure on other sources of supply, and will help to ensure that mineral reserves are not, in effect, wasted. Such benefits from prior extraction of coal should be realised, wherever they can be accommodated in an environmentally acceptable manner, provided that the ensuing development is not prejudiced or delayed significantly. Ideally, in order to avoid potential problems of delay, any potential surface coal working should be included in an overall programme for the development.

5.536 Extensions to surface mined coal workings, or a series of proposals in the vicinity of particular communities, add to the impacts from sites, and prolong the uncertainty and disruption for those affected. These problems are compounded by the difficulties of achieving the most appropriate

restoration for an area in overall terms from a series of fragmented proposals. Given their short life, relative to other kinds of mineral extraction, piecemeal workings of this kind should normally be avoided, and an outline of any proposed future workings in an area should be included in the original application. In some circumstances, and in consultation with local communities, it may be possible to agree in advance a programme of working sites in an area to achieve their exploitation in an acceptable manner. Where previously unforeseen circumstances, for example unexpected geological faulting, led to an application for an extension, any such proposal will be considered under this policy.

5.537 Surface mined coal seams generally occur in conjunction with other minerals, notably fireclay and brickclay. In the interests of sustainable development, the efficient use of mineral resources is desirable and it is important that the opportunity to work these other minerals commercially is fully explored and exploited. The co-ordinated working of mineral deposits can reduce the need to extract minerals elsewhere and prevent the unnecessary sterilisation of valuable mineral resources. In recent years a number of proposals for surface mined coal extraction have proposed the recovery of fireclay as part of the proposed scheme of working but it has been subsequently found that the mineral is not of saleable quality. Accordingly, to provide certainty prior to the determination of any proposal and in order to help enable to ascertain the weight that should be applied to the concurrent working of fireclay and brickclay as a benefit from surface mined coal sites, we will always require evidence of the quality of the material and its intended market.

5.538 The remaining brickworks operating in the North East have particular requirements for fireclay resources which are best provided by local supplies. Where fireclay is extracted, it is important that priority is given to these brickworks to utilise the resource so that current production and employment levels are maintained. It is recognised that the local brickworks may not be able to use the fireclay produced (at any given time) for various reasons and it is imperative that fireclay supplies are not wasted. When this occurs, the resource should be utilised where possible by other brickworks.

5.539 In the event that no brickworks can utilise the fireclay resource, every effort should be made to avoid the unnecessary wastage of the mineral by the stockpiling or storage of the mineral for future use. It is recognised that there is the potential to store or stockpile fireclay both on and off-site, above and below ground, but that each of these options have particular problems. Extensive testing of the characteristics and firing qualities of the fireclay will need to be investigated by the operator prior to any decision on its subsequent storage, stockpile or replacement in the void. This is a matter which will need to be assessed on an individual site basis and would be subject to planning conditions and/or obligations attached to any planning permission. This approach should provide fireclay to assist in meeting local, regional and national demand for this mineral.

How will the Policy be monitored?

Indicator:

1. Appeals upheld contrary to this policy.

Target:

1. None upheld at appeal.

Policy 54 - Natural Building and Roofing Stone

Policy 54

Natural Building and Roofing Stone

Planning permission will be granted for proposals for new and extensions to existing natural building and roofing stone quarries where it can be demonstrated that it will help maintain a steady, adequate and diverse supply of natural building and roofing stone and provided that there will be no unacceptable adverse impacts on the environment, human health or the amenity of local communities.

Locational Approach

In order to avoid unacceptable adverse impacts, proposals for natural building and roofing stone working which are considered to be major mineral development, due to their scale and nature, should not normally be located within the North Pennines AONB or in locations which could adversely affect the setting of the AONB. All such proposals will be required to meet the tests for major development and the requirements of Policy 38 (North Pennines Area of Outstanding Natural Beauty).

Proposals for natural building and roofing stone working within the AONB, which are not considered to be major mineral developments, should demonstrate that they contribute to the achievement of, or are consistent with, the North Pennines AONB Management Plan and North Pennines AONB Planning Guidelines. Such proposals will:

- a. be carefully assessed with great weight being given in decisions to the conservation of the natural beauty of the landscape and countryside, the conservation of wildlife and the cultural heritage and the need to avoid adverse impacts on recreational amenity; and
- b. need to demonstrate that the stone is required primarily to meet the requirements arising from new build or repair work within the AONB, or is for the repair of important designated or undesignated buildings or structures which rely on the proposed source of stone as the original source of supply, or as providing a directly equivalent product which can no longer be provided from the original source supply.

5.540 Natural building and roofing stone is a traditional building material that has been extensively worked in County Durham for many years for a variety of purposes. These include general walling, building, paving, roofing, high quality architectural building stone and for the repair and maintenance of historic buildings and structures. The use of this material for construction has contributed to the distinctive local character of a number of areas within the county. It is also widely used in the North East of England and is also exported and used nationally.

5.541 There are six natural building and roofing stone quarries remaining in County Durham. With the exception of two sites (Cat Castle Quarry and Dunhouse Quarry), all are relatively small scale operations, with the overall scale of production being no more 500 to 2,500 tonnes per annum, and

with a number being worked only intermittently. Planning to maintain supplies of natural building and roofing stone is a challenge. Unlike other minerals where recent information on production and permitted reserves is available, only very limited information is available⁽²⁰³⁾.

5.542 While it is impossible to predict the scale of new working which might be needed over the the Plan period, we will seek to ensure that sufficient provision is made to enable a steady, adequate and diverse supply of natural building and roofing stone to be maintained to enable County Durham to meet its own needs whilst helping to contribute to meeting wider regional and national needs. Over the period to 2035 we expect that the county's existing natural building and roofing stone quarries will make a major contribution to meeting future needs for this material. However, it is recognised that further permissions will be required to ensure that supplies can be maintained at steady and adequate levels.

5.543 The sandstones of Carboniferous age (Namurian Sandstone) are recognised as the principal building stone resources in County Durham. These sandstones naturally occur in the west of the county much of which is designated as a nationally important Area of Outstanding Natural Beauty (AONB) and as nationally and internationally important areas of nature conservation importance. Given the importance of these designations in broad locational terms the strategy of the Plan will be to minimise environmental impacts from new working. This will be achieved by guiding proposals for major working to those parts of County Durham which lie outside and do not adversely impact upon the North Pennines AONB. Similarly, all proposals for new working will also be guided to locations which do not impact upon and lie outside of internationally and nationally important nature conservation sites. We believe that those parts of the county that lie outside the North Pennines AONB and internationally and nationally important nature conservation sites have the most potential to accommodate new natural building and roofing stone quarries, including those which require on site processing plant, without unacceptable adverse environmental impacts.

5.544 In line with the North Pennines AONB Management Plan 2014-2019 and specifically its vision and objectives and the North Pennines AONB Planning Guidelines⁽²⁰⁴⁾, we do recognise that there may still be some scope for some further small scale working within the AONB in order to ensure the continued availability of local stone which will help enable the character of the landscape, buildings and settlements to be conserved and enable new development within the AONB to respect the special qualities of the North Pennines. In addition we also recognise that this stone may also constitute an important potential source of stone for the repair of important designated or non-designated buildings or structures or as the original source of supply, or as providing a directly equivalent product which can no longer be provided from the original source supply. All such planning applications will be carefully assessed with great weight being given to the conservation of the natural beauty of the landscape and countryside, the conservation of wildlife and the cultural heritage and the need to avoid adverse impacts on recreational amenity and tourism within the AONB.

5.545 In considering proposals for new working in line with the National Planning Policy Framework (NPPF) we will always recognise the small scale nature and impact of natural building and roofing stone quarries compared to aggregate quarries and the need for a flexible approach to the potentially long duration of planning permissions reflecting the intermittent or low rate of working at many sites.

203 The Office of National Statistics (ONS) report Mineral Extraction in Great Britain PA 1007 reported that sales of natural building and roofing stone in County Durham were 26,000 tonnes in 2003, 23,000 tonnes in 2004, 7,000 tonnes in 2005, 24,000 tonnes in 2006 and 11,000 tonnes in 2007. In recent years ONS have not published any new County Durham specific sales data and as a result it is estimated that production in recent years may have fallen to between 10-15,000 tonnes per annum.

204 The North Pennines AONB Planning Guidelines set out some of the forces for change affecting the North Pennines landscape. These include need to manage the piecemeal erosion of rural character in settlements and carefully managing the potential expansion of quarries for the extraction of local stone if the character of buildings and settlements is to be conserved and new development is to respect this character.

How will the Policy be monitored?**Indicator:**

1. Quantity of new permitted reserves granted.

Target:

1. To maintain a steady, adequate and diverse supply of natural building and roofing stone.

Policy 55 - Reopening of Relic Building Stone Quarries for Heritage Projects**Policy 55****Reopening of Relic Building Stone Quarries for Heritage Projects**

Proposals to temporarily reopen, on a time limited basis, relic natural building and roofing stone quarries, including those identified by Historic England through the Strategic Stone Study⁽²⁰⁵⁾, or for new extraction adjacent to or close to these quarries to extract small quantities of stone required for heritage projects, will be permitted where it can be demonstrated that:

- a. records indicate the quarry was the original source of stone used in the construction of a historic building or monument or the stone is technically compatible with material in the structure to be repaired; or
- b. the stone from the quarry is, or will be, required for restoration or conservation in the absence of viable alternatives; and
- c. the stone can be worked and the site restored, taking into account the need to protect designated sites and without other unacceptable adverse impact on the environment, human health or the amenity of local communities.

5.546 In conservation work, it is vital to obtain stone which matches the original in terms of its aesthetics, its mineral composition, density and its porosity. If not, the new stone could hasten the decay of the original building or structure and is unlikely to weather the same, therefore looking very different. To address these issues, Historic England have identified a number of relic natural building and roofing stone sites in County Durham through their work to prepare a Strategic Stone Study for England.

5.547 The National Planning Policy Framework (NPPF) requires local planning authorities to consider how to meet any demand for small scale extraction of building and roofing stone at, or close to, relic quarries needed for the repair of heritage assets, taking into account the need to protect

205 [Strategic Stone Study](#) (2012).

designated sites. While we are not aware of any current or past demand for the reopening of disused quarries for this purpose, should proposals come forward to reopen disused natural building and roofing stone quarries, they will be required to meet stringent tests and, if permitted, will be very carefully controlled to minimise environmental, amenity and health related impacts. Many relic quarries may be legitimately regarded as a heritage asset in their own right, perhaps due to a historic connection to associated historic buildings and conservation areas. In considering proposals to reopen relic natural building and roofing stone quarries identified by Historic England it will also be necessary to consider the scale of harm to, or loss of, the asset's significance and this should be weighed in relation to the wider public benefit of the proposed reopening and working of the site.

How will the Policy be monitored?

Indicator

1. Quantity of new permitted reserves granted on relic sites for natural building and roofing stone working.

Target

1. No Target.

Policy 56 - Safeguarding Mineral Resources

Policy 56

Safeguarding Mineral Resources

Planning permission will not be granted for non-mineral development that would lead to the sterilisation of mineral resources within a Mineral Safeguarding Area or which will sterilise an identified 'relic' natural building and roofing stone quarry as shown on Map C of the policies map document unless one of the following applies:

- a. it can be demonstrated that the mineral in the location concerned is no longer of any current or potential value as it does not represent an economically viable and therefore exploitable resource;
- b. provision can be made for the mineral to be extracted satisfactorily prior to the non-minerals development taking place without unacceptable adverse impact on the environment, human health or the amenity of local communities and within a reasonable timescale;
- c. the non-minerals development is of a temporary nature that does not inhibit extraction within the timescale the mineral is likely to be needed;
- d. there is an overriding need for the non-minerals development which outweighs the need to safeguard the mineral; or
- e. it constitutes exempt development as set out in appendix C of the Plan.

Unless the proposal is exempt development or temporary in nature, all planning applications for non-mineral development within a Mineral Safeguarding Area must be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development. Where the Mineral Assessment has identified that mineral is of potential value and economic to extract, an assessment of the viability of the potential for prior extraction will be required. Where planning permission is granted for prior extraction, conditions will be imposed to ensure that the site can be adequately restored to a satisfactory after-use should the following development be delayed or is not implemented.

5.548 Mineral resources are finite, and in accordance with the basic principles of sustainable development, they must be protected to give future generations the best possible chance of meeting their own needs. The Plan will therefore safeguard all known deposits of minerals that are, or may potentially become of economic importance within the foreseeable future, from unnecessary sterilisation by surface development through the designation of Mineral Safeguarding Areas (MSAs). In addition two specific areas of the county which have been identified to contain high grade dolomite are specifically protected from all sterilising development by Policy 57 (The Conservation and Use of High Grade Dolomite). Further information on the minerals which are to be safeguarded and the extent of the safeguarded areas are set out in Appendix D and are shown on Map C in the policies map document.

5.549 Unlike other mineral planning designations which allocate land for development and where there is a varying degree of presumption that extraction may be appropriate, there is no presumption that resources defined in MSAs will be worked. The purpose of MSAs is not to preclude all other forms of development, but to make sure that mineral resources are safeguarded from unnecessary sterilisation by non-mineral development.

5.550 County Durham's MSAs have been developed in accordance with guidance published by the British Geological Survey (BGS) and by using mineral resource information provided by the BGS and the Coal Authority. Regard has also been had to the approach of adjoining mineral planning authorities and consultation has been undertaken with both adjacent and distant mineral planning authorities, the minerals industry and their trade associations. County Durham's MSAs cover extensive areas of the county and will ensure that the safeguarding of mineral resources are effectively considered through the Plan and in the consideration of planning applications. In addition the policies map also identifies a number of 'relic' quarries identified by Historic England's Strategic Stone Study which have in the past been worked to produce natural building and roofing stone. Proposals for new development which will sterilise 'relic' quarries will be considered, taking into account advice from the council's Design and Conservation Team.

5.551 In order to determine planning applications for non-minerals development within a MSA it will be necessary for sufficient information to be submitted by the applicant to allow a decision to be made. Other than for development viewed as exempt, all other planning applications for non-minerals development within MSAs will need to be accompanied by a Mineral Assessment of the effect of the proposed development on the mineral resource beneath or adjacent to the site of the proposed development. The Mineral Assessment will enable the council to determine whether the safeguarded mineral resource is no longer of any current or potential value, based upon a detailed site-specific assessment. Where an economic resource is present, it will also enable the consideration of prior extraction⁽²⁰⁶⁾. Prior extraction could provide the opportunity for mineral resources which would

206 The requirement for a mineral assessment will be administered by including mineral assessments on the local list of information for mineral requirements. This will be based upon advice set out in Chapter 6 of the British Geological Survey Guide Mineral Safeguarding in England: Good Practice Advice, (2011). Further advice on mineral assessments is set out in Appendix C.

otherwise be sterilised to be extracted for use in the proposed development itself or off site. Depending on the nature of the proposed prior extraction, a standalone planning application for mineral extraction may be required which is not linked to a built development proposal.

5.552 The prior extraction of safeguarded minerals will be encouraged in MSAs where it is necessary for non-mineral development to occur. However, whether prior extraction will be possible will be dependent upon a number of factors including whether this can be done without unacceptable adverse impact on the environment, human health or the amenity of local communities and whether extraction is achievable within an acceptable timescale. In instances where planning permission is granted for prior extraction, planning conditions or obligations will always be imposed to ensure that the mineral resource can be adequately worked and the site restored to a satisfactory after-use should the following development be delayed or not implemented.

5.553 Some types of development may be of a temporary nature and of short duration. Such development may be permissible overlying or adjacent to a MSA provided that it does not inhibit minerals extraction within the timescales that the mineral is likely to be required i.e. it can cease and be removed prior to the mineral extraction proceeding, thereby not permanently sterilising the mineral resource. However, it is recognised that some temporary development, such as wind turbines, wind farms or solar farms, which are required by planning conditions to be decommissioned, removed and the land reinstated, may nevertheless be of a long duration. Careful consideration will therefore need to be given to the siting of such development, to avoid mineral site allocations and to ensure that the possibility of extensions to existing mineral sites are not unnecessarily impeded, or economically important mineral resources sterilised.

5.554 There may be circumstances where it is appropriate to allow non-minerals development to proceed, if there is an overriding need for it which outweighs the need to safeguard the mineral resource. Careful consideration of the importance of the mineral resource and the significance of the non-minerals development will always be required. The council will also take into account the availability of alternative locations for the supply of the mineral and alternative locations for the non-mineral development being proposed. Where an overriding need can be demonstrated, the prior extraction of the mineral, ahead of the proposed development, should always be considered.

5.555 Criterion (e) of this policy recognises that some forms of non-mineral development can be undertaken without sterilising mineral resources. Accordingly, exemption criteria have been identified where a mineral assessment will not be required (see Appendix C).

How will the Policy be monitored?

Indicator:

1. Number of eligible schemes, within the county's Mineral Safeguarding Area, that are supported by a Mineral Assessment.

Target:

1. 100%.

Policy 57 - The Conservation and Use of High Grade Dolomite

Policy 57

The Conservation and Use of High Grade Dolomite

The long term conservation and future use of high grade dolomite will be achieved by:

- a. protecting areas of the county understood to be underlain by high grade dolomite by non-mineral development and preventing their sterilisation; and
- b. ensuring that both existing and future permitted reserves of high grade dolomite are worked efficiently for high grade purposes and not used unnecessarily for low grade purposes.

It is expected that over the Plan period that any demand for high grade dolomite will be met from existing planning permissions in the county. Accordingly, planning permission for further reserves of high grade dolomite will only be permitted subject to appropriate planning conditions where:

- c. it can be demonstrated that there is a need for high grade dolomite which cannot be met by existing planning permissions;
- d. the purposes for which their specific qualities are essential are demonstrated and its use for high grade purposes can be maximised; and
- e. provided that there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

5.556 Through Policy 56 (Safeguarding Mineral Resources) the approach of the Plan is to safeguard minerals resources of local and national importance through the designation of Mineral Safeguarding Areas so that they are not sterilised by non mineral development where this can be avoided. In addition due to the national importance of specific mineral deposits within the county, this Plan seeks to provide further protection from sterilisation and use for lower grade purposes, to one area of the county which contains high grade dolomite which is of sufficient quality to make the deposits suitable for specific industrial purposes, thereby helping to ensure the deposits long term conservation and availability for use for high grade purposes.

5.557 This approach is in line with the long term approach of the council to the conservation and use of high grade mineral resources as set out within the County Durham Minerals Local Plan (December 2000) and its predecessor the Magnesian Limestone Escarpment Plan (July 1986) both of which recognised the importance of reserves at Thrislington Quarry and identified the area to the east of the A1(M) as one of two areas in Great Britain, the other is Whitwell in Derbyshire, containing magnesian limestone (high grade dolomite) of suitable high quality for use in the steel and chemical industries. In addition, the County Durham Minerals Local Plan (December 2000) also recognised that high grade deposits of magnesian limestone (low iron high magnesia dolomite) suitable for colourless glass manufacture also exist at Hawthorn Quarry and these deposits are currently protected by legal agreement.

5.558 While demand in the United Kingdom for high grade dolomite is currently low due to the contraction in the downstream industries including the steel industry that utilise the high grade material, it is considered important that the high grade dolomite reserves which lie within Thrislington East Quarry and at Hawthorn Quarry⁽²⁰⁷⁾ are not used for lower grade uses such as construction aggregates, when lower grade alternatives are readily available in other quarries. Should planning applications be received by the council to amend or vary the existing permissions at these quarries the council will seek to protect the high grade dolomite reserves within these quarries so that proper use can be made of the high grade material and ensure that the high grade material remains available for future use.

5.559 Given the current low demand for high grade dolomite, and the extent of high grade permitted reserves within both Thrislington Quarry East and at Hawthorn Quarry it is now considered unlikely that there will be a need for further permissions of high grade dolomite to be granted over the Plan period. However, should proposals for further working be proposed any applicant will need to demonstrate that there is a need for high grade material which cannot be met by either existing permissions or by lower grade material, that the high grade material is required for specific purposes, that its use for high grade purposes can be maximised, and that there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities. In any event, in order to conserve the high grade dolomite resource of the county, it is considered that specific protection from sterilisation and from use for lower grade purposes should continue to be given to the 'high grade dolomite' resource which was specifically identified in the Minerals Local Plan to the east of Thrislington Quarry. This will protect this area from mineral working and other development over the Plan period.

How will the Policy be monitored?

Indicator:

1. Number of planning applications approved which sterilise areas believed to be underlain by high grade dolomite.
2. Number of planning applications permitted which lead to the use of high grade dolomite reserves for lower grade uses.

Target:

1. Zero.
2. Zero.

²⁰⁷ Hawthorn Quarry is currently subject to a periodic review to determine new planning conditions for working and restoration under the Environment Act 1995. The availability of permitted reserves within the quarry are subject to the satisfactory completion of this review process.

Policy 58 - Preferred Areas for Future Carboniferous Limestone Working

Policy 58

Preferred Areas for Future Carboniferous Limestone Extraction

Proposals for the winning and working of carboniferous limestone from land to the east of Hulands Quarry and from land to the west of Heights Quarry, within the Preferred Areas as shown on the policies map, will be permitted subject to appropriate planning conditions/planning obligations where they are in accordance with other relevant policies of the Plan and where:

- a. they are accompanied by an acceptable scheme of phased working and a high quality restoration and aftercare scheme which can be approved and which specifically:
 1. includes such advance and preparatory works as are deemed necessary including perimeter mounding/bunding and planting to safeguard the local landscape, environment and amenities of the local area whilst also minimising views into the sites from nearby public rights of way, and the strategic and local highway network; and
 2. delivers a range of environmental benefits including landscape enhancement, and habitat enhancement and creation; and
- b. it can be demonstrated that there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

5.560 In order to assist in the steady and adequate supply of crushed rock aggregate and the delivery of Policy 49 (Primary Aggregates Provision) two Preferred Areas for carboniferous limestone working are allocated as extensions to Hulands Quarry in Teesdale and Heights Quarry in Weardale. Both proposals have been carefully assessed and have been found to be suitable as potential allocations, but their acceptability will also need to be tested through the consideration of individual planning applications.

5.561 Subject to planning permission being granted these allocations would enable both quarries to make a major contribution to the identified need for further carboniferous limestone working from County Durham over the Plan period⁽²⁰⁸⁾. In addition the carboniferous limestone produced at these quarries will provide a source of aggregate to produce coated roadstone, ready mixed concrete products and high quality pre-cast concrete products, whilst also helping to retain existing direct and indirect employment associated with the winning and working of minerals.

Hulands Quarry Extension

5.562 Given the location of this preferred area within an identified Area of Higher Landscape Value (AHLV) and near to, but lying outside of the North Pennines Area of Outstanding Natural Beauty (AONB) and adjacent to the A66(T), we recognise the importance of ensuring that proposals for its working and restoration will need to be carefully designed. It will be essential to ensure that high

208 Aggregate Industries have advised the council that the proposed extension area to the east of Hulands Quarry contains 8.2 million tonnes of limestone and that the quarry could produce up to 300,000 tonnes of carboniferous limestone per annum and that the proposed extension to the west of Heights Quarry contains 3.7 million tonnes of limestone and that this quarry could produce up to 300,000 tonnes of carboniferous limestone per annum.

environmental standards are achieved through a phased scheme of working and high quality restoration and aftercare which minimise the adverse impact on the environment, human health or the amenity of local communities, including cumulative impacts.

5.563 The detailed design of the scheme of working and restoration will be key to its acceptability. Proposals for the extension should demonstrate how it will be worked and restored in conjunction with the existing permitted operations. In particular, it will be necessary to consider permanent perimeter mounds to the A66(T) augmented by tree planting to limit views into the site from the A66. For example, through the restoration of this site there will be some potential to use landform replication techniques including restoration blasting to leave exposed faces closer in character to natural crags and develop a range of other attractive features such as buttresses and scree slopes, limestone pavement and other bare ground habitat, native woodland, calcareous grassland and ground-water fed wetland.

Heights Quarry Extension

5.564 Given the location of this preferred area within the North Pennines Area of Outstanding Natural Beauty (AONB) and its proximity to the North Pennine Moors Special Protection Area (SPA), nationally important Sites of Special Scientific Interest (SSSIs) and the Weardale Way and Pennine Journey, we recognise the importance of ensuring that proposals for its working and restoration will need to be carefully designed. In order to both conserve and enhance the natural beauty and landscape of the AONB it will be essential to ensure that the highest environmental standards are achieved through a phased scheme of sensitive working and high quality restoration and aftercare which minimises the adverse impact on the environment, human health or the amenity of local communities, including cumulative impacts.

5.565 The detailed design of the scheme of working and restoration will be key to its acceptability. Proposals for the extension should demonstrate how it will be worked and restored in conjunction with the existing permitted operations. In order to minimise landscape and visual impacts, maintaining clean skylines in middle distance views and giving careful consideration to the effects of the storage of soils and overburdens should be key considerations. In addition through the working and restoration of the extension area in conjunction with the existing permitted operations a range of environmental benefits including landscape, biodiversity and geodiversity enhancement measures will need to be secured. For example, through the site's restoration a range of attractive features and habitats including crags, buttresses and scree slopes, limestone pavement and other bare ground habitat, native woodland and calcareous grassland should be developed.

How will the Policy be monitored?

Indicator:

1. Quantity of additional permitted reserves of carboniferous limestone granted following the grant of planning permission to enable extensions to Hulands Quarry and Heights Quarry.

Target:

1. 11.9 million tonnes.

Policy 59 - Strategic Area of Search to the South of Todhills Brickworks

Policy 59

Strategic Area of Search to the South of Todhills Brickworks

In order to ensure that sufficient feedstock is available to provide and maintain a minimum 25 year stock of permitted reserves for Todhills Brickworks, a strategic area of search, as shown on the policies map, is identified to the south of the brickworks. Proposals for the winning and working of brick making raw materials from within the area of search will be permitted subject to appropriate planning conditions/planning obligations and where they are in accordance with Policy 52 (Brick Making Raw Materials) and where:

- a. they are accompanied by an acceptable scheme of phased working and a high quality restoration and aftercare scheme which specifically:
 1. includes such advance preparatory works including perimeter mounding/bunding and planting that are deemed necessary to safeguard the local landscape, environment and amenities of the local area; and
 2. delivers a range of environmental benefits including landscape enhancement and habitat creation measures; and
- b. it can be demonstrated that there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

5.566 In order to assist in the delivery of Policy 52 (Brick Making Raw Materials), the Plan is allocating a strategic area of search, south of Todhills Brickworks⁽²⁰⁹⁾. This allocation will play a vital role in providing the long term feedstock for the adjacent brickworks once existing supplies of coal measures mudstone from the current planning permission (Long Lane) are insufficient to meet the long term needs of the brickworks⁽²¹⁰⁾.

5.567 The area of search will:

- provide the necessary 25 year stock of permitted reserves for Todhills Brickworks;
- provide security of supply for the owner of the brickworks and a basis for future investment, thereby helping to guarantee its economic future;
- assist in the production of bricks and other clay based products for use in County Durham and the North East; and
- safeguard existing employment at the brickworks.

209 The County Durham Minerals Local Plan (December 2000) recognised the potential shortfall of permitted reserves at this brick manufacturing plant, in the period beyond 2006, and allocated an Area of Search for additional brick shale extraction south east of the existing brickworks to meet longer term needs (Policy M11). This policy has been 'saved' until it is replaced by the provisions of the Plan.

210 The current quarry which serves Todhills Brickworks (the Long Lane site) was granted in 1999 and has permission for extraction until 27 April 2019.

5.568 Any proposal for future working within the area of search must ensure that unacceptable adverse impacts on the environment, human health and the amenity of surrounding communities do not occur. This is likely to be best achieved through a co-ordinated programme of comprehensive screening, phased working and progressive high quality restoration and aftercare which satisfactorily minimises adverse impacts and provides environmental benefits via landscape enhancement and habitat creation measures which provide a net gain to biodiversity.

How will the Policy be monitored?

Indicator:

1. Number of years of approved reserves at Todhills Brickworks.

Target:

1. To maintain a minimum 25 year stock of permitted reserves at Todhills Brickworks.

Providing for Waste Management Capacity

Policy 60 - Waste Management Provision

Policy 60

Waste Management Provision

Proposals for the provision of new or enhanced waste management capacity will be permitted where they can demonstrate that they:

- a. contribute to driving the management of waste up the waste hierarchy and do not prejudice the movement of waste up the waste hierarchy; and
- b. assist in moving the management of waste in County Durham towards net self-sufficiency and/or make an appropriate contribution to regional net self-sufficiency by managing waste streams as near as possible to their production; and
- c. assist in meeting the identified need for new waste management capacity to manage specific waste streams over the Plan period or can demonstrate an additional need which cannot be met by existing operational facilities within County Durham or the North East.

5.569 This policy sets out criteria to assess proposals for new capacity to manage forecast waste arisings over the Plan period in line with the waste hierarchy. It is based upon an understanding of the capacity of existing waste management facilities, the scale of existing waste arisings, forecast future waste arisings over the Plan period and established recycling targets. The policy approach also has regard to the principle of self-sufficiency at a regional scale and the proximity principle, but

does however recognise that waste management is market-led and waste flows do naturally occur across local authority boundaries through established management routes and this will continue to occur throughout the Plan period.

The Waste Hierarchy

5.570 Moving the way waste is managed up the waste hierarchy is a key objective of government policy. The waste hierarchy places a priority on the prevention of waste, followed by reuse then recycling, then other recovery (which can include energy from waste). As part of this hierarchy, waste disposal is the last resort. While the Plan is limited in what it can do to minimise the generation of waste, the policy seeks to both maximise the management of waste up towards the highest practical levels of the waste hierarchy and ensure that proposals do not prejudice the movement of waste up the waste hierarchy by imposing a degree of restraint on other forms of development, such as landfill, and incineration without energy recovery (which, as disposal options, represent the lowest level of the hierarchy), unless a need is demonstrated. Applicants will be expected to demonstrate how their proposed facility accords with this approach.

Net Self-Sufficiency and the Proximity Principle

5.571 Government policy is clear that while there is a policy aim that waste planning authorities should manage all of their own waste in line with the established waste planning principles of self-sufficiency and the proximity principle that there is no expectation that each local planning authority will be able to do so. In this regard, County Durham plays an important part in the management of waste in the North East and established flows of waste exist between County Durham and adjoining areas and other areas in the country. This is likely to continue as waste flows are driven by the market.

5.572 Provision for future waste management in County Durham is based upon providing facilities to deal with the county's own waste arisings whilst acknowledging those flows which already exist (net self-sufficiency). The County Durham Municipal Waste contract currently involves management routes outside the county. The strategy for residual Local Authority Collected Waste (LACW) therefore makes use of spare capacity within the region which will allow management of waste close to source and is more sustainable than providing strategic scale facilities unnecessarily within the county. It may be necessary to provide further capacity for LACW towards the end of the Plan period depending upon contracts and levels of recycling and recovery.

5.573 The policy should be read alongside the Policy 61 (Location of New Waste Facilities) and Policy 31 (Amenity and Pollution) as these conform further detail and mitigation for waste management proposals.

Existing Waste Arisings and Current Waste Management Capacity

5.574 The table below sets out current estimates of waste arisings by stream in County Durham. Waste arisings have been grouped into categories which relate to the way they are managed.

5.575 The Non-hazardous waste stream includes LACW and Commercial and Industrial Waste. Non-hazardous waste has been subdivided into three components. Dry recyclate includes materials such as plastics, metals, glass, paper/card which can be recycled in a non-hazardous waste transfer stations and or sent to material recycling facilities. Organic waste is biodegradable waste from gardening and landscaping activities, as well as domestic and commercial food waste. Such organic waste is increasingly managed in composting and anaerobic digestion plants and it is expected that there will be an increase in the requirements of such facilities in the future if local authorities are required to collect food waste. Residual waste is the quantity of waste remaining to be managed after materials for re-use, recycling and composting have been removed but may still include organic waste if such waste has not been separated.

5.576 Agricultural waste mainly comprises organic material and is typically managed on site. A small proportion of agricultural waste consists of plastics and metals which would be managed through commercial and industrial waste streams. Given that this is the component that gives rise to management facilities, any capacity requirements are addressed through commercial and industrial waste streams.

5.577 Construction, Demolition and Excavation Waste (CDEW) includes rubble, glass, wood, soils and plastics. Most CDEW is classed as 'inert' waste in that it will not decompose. Hazardous waste is any waste which contains materials or substances potentially harmful to health or the environment, including oils, asbestos, batteries and fluorescent lighting. Low Level Radioactive Waste also occurs within small quantities within County Durham. Depending on the nature of this waste and its radioactive content, it can be suitable for disposal in a conventional non inert landfill or at a specialist repository.

5.578 Waste Water Treatment Waste is sludge produced by Northumbrian Water through its network of waste water treatment plants in County Durham. This waste is managed through Northumbrian Water's existing network of Sludge Handling Centres and Sludge Treatment Centres in Tyne and Wear and the Tees Valley.

Table 11 Baseline Arisings by Waste Type

Quantity (2016) (tonnes x 1,000 per annum)		Data Source
Non-Hazardous Waste	Total: 644.2kt, of which Dry Recyclate: 246.9kt, Organic waste: 62.7kt, and Residual waste: 334.6kt	Waste Data Flow, Regional C&I survey
Inert/Construction, Demolition and Excavation Waste (CDEW)	623.3kt (943.6kt including imports)	Environment Agency Permit Returns
Hazardous Waste	43.7kt	Environment Agency Permit Returns
Agricultural Waste	3.0kt (reported by Permit Returns)	Environment Agency Permit Returns
Low Level Radioactive Waste	942 GBq ⁽²¹¹⁾	Environment Agency IPPC Returns
Waste Water	50kt	Northumbrian Water

5.579 Alongside these estimates of waste arisings, information published by the Environment Agency (EA) suggests that a total of around 1.53 million tonnes of waste was managed at EA permitted waste management facilities in County Durham in 2016. There are also a range of import and export movements across the county boundary, mainly to and from Tyne and Wear and the Tees Valley.

5.580 The table below sets out current available capacity by site type in County Durham to manage waste arisings.

211 In waste water; no release in 2016 in solid waste.

Table 12 Current Available Capacity by Site Type

Facility Type	Available Capacity (tonnes x 1,000 per annum)	Data Source ⁽¹⁾
Mixed Materials Recovery Facility	270.0 ktpa	Environment Agency
Composting	190.0 ktpa	Environment Agency
Non-Hazardous Transfer	1,190.6 ktpa ⁽²¹²⁾	Environment Agency
Anaerobic Digestion	72.4 ktpa	Environment Agency
Clinical Waste Transfer	30.0 ktpa	Environment Agency
Hazardous Waste Transfer	30.0 ktpa ⁽²¹³⁾	Environment Agency
Inert Waste Transfer	98.6 ktpa	Environment Agency
Non-hazardous residual waste treatment/disposal	12.7 ktpa	Environment Agency
Inert Landfill, Non Hazardous Landfill and Non-Hazardous (with SNRHW cell) Landfill	11,104,913 cubic metres	Environment Agency
Vehicle Depollution Facility	145.0 ktpa	Environment Agency

1. Source: LRS/Anthesis based upon Waste Data Interrogator 'Active Sites listing' 2016. At the time of writing the Anthesis report this was the latest data available. Further capacity has been consented since the report was finalised.

Future Waste Arisings and Waste Management Capacity Needs

5.581 Forecasts of waste arisings for key waste types over the Plan period from 2016 to 2035 have been produced for Non-Hazardous, Hazardous and Inert/Construction, Demolition and Excavation Waste, using predominantly Environment Agency data derived from 2016 permit returns and Waste Data Flow for LACW.

5.582 In terms of the other waste types which the Planning Policy Guidance (PPG) advises that planning authorities should plan for, forecasts of waste water treatment sludge arisings from within County Durham have been omitted from the table. This is because Northumbrian Water do not consider that any further facilities are required to manage this waste stream in County Durham. Forecast arisings of Low Level Radioactive Waste in the region are likely to be relatively low so projected growth is also omitted from the table below. In relation to this waste type, there are also no nuclear installations in the county and there is sufficient commercial capacity in other areas to manage waste generated in County Durham and the North East to at least 2029. This will be subject to monitoring over the Plan period in discussion with neighbouring authorities as part of the Duty to Cooperate. Forecast arisings of agricultural waste are also not included, as waste which is not managed on farms will be addressed through commercial and industrial waste streams.

212 This figure includes HWRC/CA Sites from EA WDI 'Active Sites' listings.

213 Excluding wrongly classified Annfield Plain Transfer Station.

Table 13 Future Projected Growth in Arisings by Waste Stream

Waste Type	Quantity (tonnes x 1,000)		
	2016	2025	2035
Non-Hazardous waste - recyclate	246.9	265.2	267.1
Non-Hazardous waste - organic waste	62.7	66.0	62.7
Non-Hazardous waste - residual waste	334.6	326.3	333.9
Construction and Demolition (Inert)	623.3	623.3	623.3
Hazardous waste	43.8	43.7	43.0

5.583 Future forecast arisings per waste type can be considered against forecast capacity to provide an understanding of capacity surplus. A negative figure indicates a capacity shortfall, which is also known as a capacity gap. The table below shows the expected gaps by facilities type in 2035.

Table 14 Surplus Capacity (Including Any Capacity Gap) by Site Type (to 2035)

Facility Type	Surplus Capacity (tonnes x 1,000 per annum unless otherwise stated)
Mixed Materials Recovery Facility	118.8
Organic Recycling Capacity	162.2
Non-Hazardous Transfer	817.3
Anaerobic Digestion	122.6
Clinical Waste Transfer	28.6
Hazardous Waste Transfer	-11.2
Inert Waste Transfer	78.9
Non-Hazardous Residual Waste Treatment/Disposal	-67 to -145
Inert Landfill and Non-Hazardous Landfill	-3,682.8 (m ³ x 1,000)
Vehicle Depollution Facility	136.0

Need

5.584 Table 14 sets out the forecast waste management capacity gap by waste facility type over the plan period to 2035. It indicates that for most waste facility types there is no significant need to identify new waste management sites in the Plan area as there is already significant capacity within existing waste management sites in County Durham.⁽²¹⁴⁾ However, for a number of waste facility types the forecasting does evidence a capacity gap.

5.585 In respect of Hazardous Waste Transfer a small capacity gap has been identified, to meet the identified need, the council will consider positively applications for further Hazardous Waste Transfer capacity and proposals will be looked upon favourably where the proposal is acceptable in all other respects taking into account all relevant Plan policies.

5.586 In respect of the forecast Non-Hazardous residual waste treatment/disposal capacity gap it is understood that the identified capacity gap reflects the pattern of final management for LACW, whereby waste which cannot be composted or recycled is managed by incineration at the Suez Energy from Waste (EfW) plant at Haverton Hill in the Tees Valley. The council's contact with Suez runs until 2021 with options to extend to 2025. The council's evidence base has also identified that a significant quantity of Non-Hazardous residual waste treatment capacity is in the planning pipeline across the North East and may come on stream in future years depending on the waste management industries ability to deliver the proposed schemes. Nonetheless, the council will consider positively planning applications to provide additional treatment capacity. It is recognised that such facilities could assist in managing waste towards the top of the waste hierarchy and could contribute both to net and regional self-sufficiency. Such proposals will be looked upon favourably where the proposal is acceptable in all other respects taking into account all relevant Plan policies.

5.587 In terms of Non-Hazardous residual waste disposal, County Durham's only non-hazardous landfill site at Joint Stocks near Coxhoe has now closed and is under restoration with inert material. However, it is expected that the non-hazardous Landfill (with a Stable Non-Reactive Hazardous Waste (SNRHW) cell) at Aycliffe East Quarry will continue in operation throughout the Plan period providing all non-hazardous landfill requirements. In respect of inert wastes, County Durham has a key role in the North East region with approximately three quarters of the inert void space at the end of 2016 being in three landfill sites within County Durham. In this regard the forecasting has suggested that, based on current landfill capacity and the closure dates of existing sites, due to current consents expiring during the Plan period, capacity would be exhausted by 2032 (as reflected as a capacity gap in the table above). However, the situation is recognised to be very complex and much will depend upon how the county's landfill sites are operated, the quantity of inert waste which requires disposal and the ongoing availability of void space elsewhere in the North East. Furthermore, it is now also recognised that further inert void space at Bishop Middleham Quarry will become available providing an estimated 4 million cubic metres of void space once mineral extraction has ceased in 2029. It is also recognised that the continued movement of waste up the waste hierarchy may mean that landfill sites take longer to reach their full capacity, meaning an extension of time limits may be needed in some circumstances. However, proposals for the use of inert waste as a disposal operation which creates further landfill capacity or as a recovery operation will be looked at carefully taking into account the degree of restraint outlined in paragraph 5.585 and all other relevant Plan policies⁽²¹⁵⁾.

214 In addition, it should be noted that further capacity has been consented since the table above was prepared. Since the beginning of 2017 planning permission has been granted for one Material Recycling Facility to process plastic waste with a capacity of 37,000 tonnes per annum, two Anaerobic Digestion facilities with a combined capacity of 143,435 tonnes per annum, one green waste composting facility with a capacity of 25,000 tonnes per annum, one Inert Waste Transfer Station which includes recycling with a capacity of 25,000 tonnes per annum and one end of life vehicle site.

215 Policies relating to the future disposal and 'other' recovery of inert wastes (including inert construction/demolition/excavation waste) to land and mineral site restoration and after use will be included within the council's Minerals and Waste Policies and Allocations document. These policies will reflect relevant national policy and will consider, amongst other matters, the objectives of the proposed waste operations and the nature and significance of any resulting benefits.

5.588 While there is no identified capacity gap for a number of waste facility types such as mixed material recovery facilities, anaerobic digestion facilities, composting facilities, non-hazardous and inert and waste transfer, and vehicle depollution facilities it is recognised that such facilities could assist in managing waste towards the top of the waste hierarchy, could contribute both to net and regional self-sufficiency, and reduce disposal requirements. Such proposals will be looked upon favourably where the proposal is acceptable in all other respects taking into account all relevant Plan policies.

Monitoring

5.589 To ensure that sufficient information is available to consider proposals for new waste management facilities the council will use all relevant information to monitor waste arisings and waste management capacity within County Durham. In addition to monitoring the position in County Durham, the council will continue to work with other authorities in the North East to monitor waste arisings and capacity within the region as a whole. A revised capacity gap for County Durham will be calculated periodically together with a position statement identifying the need for additional waste management facilities. This information will be reported in the council's Annual Monitoring Report.

How will the Policy be monitored?

Indicator:

1. Waste Management Capacity Gap (calculated periodically).
2. New waste management capacity permitted by waste type and management type.
3. Appeals upheld contrary to this policy.

Target:

1. No target.
2. No target.
3. None upheld at appeal.

Policy 61 - Location of New Waste Facilities

Policy 61

Location of New Waste Facilities

Proposals for new or enhanced waste management facilities will be permitted where they will assist the efficient collection, recycling and recovery of waste materials and they:

- a. are located outside and do not adversely impact upon the setting or integrity of internationally, nationally and locally designated sites and areas;

- b. are located outside the Green Belt or are in locations which do not impact upon its openness;
- c. minimise the effects of transporting waste including by locating as close to arisings as practical; and
- d. can be satisfactorily located as part of an existing waste management facility, or where the waste management facility can be satisfactorily co-located with complimentary activities and potential users of recovered materials, recyclates and soils, energy and heat, where appropriate and feasible and where this represents a sustainable option; or
- e. can be satisfactorily located on suitable land identified for employment use, or on suitable previously developed land in the larger towns and villages where the site can serve a local or larger catchment except where:
 - 1. they are located on a strategic or specific use employment site. Such sites are generally not considered to be appropriate for new waste management facilities unless it can be demonstrated that the proposal will not cause unacceptable adverse impact on the strategic or specific use employment site's principal use;
 - 2. they are waste management facilities that genuinely require a rural or outdoor location and that do not locationally conflict with the provisions of criteria (a) or (b) and other relevant policies in the Plan. In such circumstances proposals will be permitted where they can be satisfactorily located either:
 - i. within either existing redundant rural agricultural or forestry buildings and their curtilages as part of farm diversification activities;
 - ii. within small scale new build adjacent to existing farm buildings or extensions to existing farm buildings as part of farm diversification proposals; or
 - iii. using existing areas of hardstanding for outdoor composting operations.

All proposals for farm based waste management facilities will be required to demonstrate that the management of waste is appropriate in scale to the existing primary use of the site and that the waste to be managed arises either on site or within the local area.

All proposals must demonstrate that there will be no unacceptable adverse impact on the environment, human health or the amenity of local communities.

5.590 The Plan seeks to ensure that suitable provision is made to manage anticipated future waste arising in County Durham whilst ensuring that the environment and the amenity of local communities in County Durham are protected and enhanced and that the health of local communities is not endangered⁽²¹⁶⁾. Through its locational approach to accommodating new or extended waste management facilities, it seeks to guide the majority of new or extended facilities to suitable locations, where they can be satisfactorily located including by taking into account any necessary mitigation and environmental enhancements, so that adverse environmental impacts are minimised and to areas which are the most sustainable and well related to where the majority of waste is produced. In

216 Ensuring human health will not be endangered is a requirement of Article 13 of the Waste Framework Directive and therefore any adverse impacts arising from a waste development should be satisfactorily mitigated.

responding to the pressures in the county and in particular the need to reduce reliance on landfill and in the absence of strategic allocations within this Plan, the locational approach also sets the basis for where any new non-strategic allocations for waste management facilities could be located in the Minerals and Waste Policies and Allocations document. The locational approach is also forward looking and should support future developments in waste management within County Durham and emerging solutions in other strategic documents such as the council's Municipal Waste Management Strategy over the Plan period.

5.591 In order to minimise adverse environmental impacts the locational approach seeks to guide new waste management facilities to locations which lie outside of County Durham's network of internationally, nationally and locally designated sites⁽²¹⁷⁾ and to areas which will not have an unacceptable adverse impact upon them in accordance with the provisions of the relevant policies of the Plan. The locational approach also seeks to guide new waste management facilities to areas outside and which do not impact on the openness of the Green Belt in County Durham. Green Belts have special protection in respect to development and it is considered that there is scope to accommodate waste management facilities outside the Green Belt in County Durham. Designated sites and areas and the extent of the defined Green Belt in County Durham are shown on the policies map with protection being afforded to these areas through relevant policies elsewhere in the Plan.

5.592 The locational approach seeks to guide the majority of new waste developments to where they can be satisfactorily located either as part of an existing waste site or an integrated waste management facility, or where the waste management facility can be satisfactorily co-located with potential users of recovered materials, recyclates and soils, energy and heat. The locational approach also recognises that land identified for general industrial or employment use or previously developed land in the larger towns and villages where the site can serve a local or larger catchment is the most suitable subject to the facilities being able to be satisfactorily located. Guiding the majority of new waste management facilities to such suitable locations and sites is considered the most sustainable approach, and bearing in mind that it is these locations within the county where the majority of waste arises, is also in line with the proximity principle and will help minimise vehicular emissions associated with transporting waste by road.

5.593 In the past the development of waste management facilities has been traditionally dogged by poor image and negative perceptions. In accordance with the council's established approach, through the Plan we will seek to ensure that new waste management facilities when located on land identified for general industrial or employment use will not adversely affect those locations' suitability for other employment development. This is considered important because the development of a network of high quality and attractive employment locations has both been a priority and success of the council.

5.594 Through accommodating the majority of waste management operations within contemporary and well-designed buildings or enclosed structures appropriate to the technology or process, it is considered that most environmental impacts associated with the management of waste can be satisfactorily mitigated. It is however considered that there are some sites where waste management facilities would not be appropriate, due to the nature of the site and the uses that the site contains or is proposed to contain. Specifically this relates to the Aykley Heads strategic employment site in Durham City, which is allocated in the Plan for significant new office development, and the specific use employment site at NetPark. Other than these sites and based on evidence in the council's Employment Land Review we have taken the view that it is not possible to identify areas unsuitable for waste development on a site by site basis.

217 This includes areas designated for cultural heritage; landscape; geodiversity and biodiversity. It would therefore include for example the Area of Outstanding Natural Beauty (AONB); World Heritage Site; Sites of Special Scientific Interest (SSSIs) and Ramsar sites as well as the Biosphere Reserve.

5.595 Other exceptions to this approach include where it can be clearly demonstrated that any unacceptable adverse environmental impacts associated with waste management can be mitigated by alternative means, or where a waste management process genuinely requires an outdoor location for example outdoor composting and where a waste management operation can be suitably located within a rural area as part of a genuine farm diversification proposal. As a general principle, the Plan seeks to prevent development that would have an unacceptable adverse impact on the countryside. However, this policy recognises that there may be specific circumstances where new small scale waste management facilities may be appropriate within rural areas in specific limited circumstances where the proposed development can be satisfactorily located.

5.596 In considering all proposals for new or extended waste management facilities the council will consider the compatibility of the proposal with the locational approach outlined in this policy and whether the proposal can also be satisfactorily located taking into account the physical and environmental constraints on and surrounding the site, the compatibility of the proposed development with existing and proposed neighbouring land uses, the proximity of sensitive receptors and the capacity and suitability of existing and potential transport infrastructure to support the sustainable movement of waste and products arising from resource recovery.

5.597 This policy applies to the majority of waste management facilities with the exception of sewage and waste water infrastructure, landfill and landraise developments and aggregate recycling facilities which are addressed by other Plan policies.

How will the Policy be monitored?

Indicator:

1. Number of approved facilities located on land outside designated and defined areas and upon land given priority by the policy.
2. Appeals upheld contrary to this policy.

Target:

1. 100%.
2. None upheld at appeal.

A Strategic Policies

The National Planning Policy Framework (NPPF) states that local plans should make explicit which policies are 'strategic policies'. These should be limited to those necessary to address the strategic priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any local policies that may be needed. Those local policies may come forward either as part of a single local plan or as part of a subsequent local plan or neighbourhood plan. Durham County Council consider the following policies in this Plan to be strategic:

Strategic Policies

- Policy 1 - Quantity of Development
- Policy 2 - Employment Land
- Policy 3 - Aykley Heads
- Policy 4 - Housing Allocations
- Policy 5 - Durham City's Sustainable Urban Extensions
- Policy 6 - Development on Unallocated Sites in the Built Up Area
- Policy 9 - Retail Hierarchy and Town Centre Development
- Policy 10 - Development in the Countryside
- Policy 11 - Rural Housing and Employment Exception Sites
- Policy 12 - Permanent Rural Workers' Dwellings
- Policy 15 - Addressing Housing Need
- Policy 16 - Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation
- Policy 17 - Sites for Travellers
- Policy 20 - Green Belt
- Policy 22 - Durham City Sustainable Transport
- Policy 23 - Allocating and Safeguarding Transport Routes and Facilities
- Policy 25 - Developer Contributions
- Policy 26 - Green Infrastructure
- Policy 27 - Utilities, Telecommunications and Other Broadcast Infrastructure
- Policy 29 - Sustainable Design
- Policy 34 - Wind Turbine Development
- Policy 35 - Water Management
- Policy 36 - Water Infrastructure
- Policy 37 - Durham Heritage Coast and Wider Coastal Zone
- Policy 38 - North Pennines Area of Outstanding Natural Beauty
- Policy 39 - Landscape
- Policy 41 - Biodiversity and Geodiversity
- Policy 42 - Internationally Designated Sites
- Policy 43 - Protected Species and Nationally and Locally Protected Sites
- Policy 44 - Historic Environment
- Policy 45 - Durham Castle and Cathedral World Heritage Site
- Policy 46 - Stockton and Darlington Railway
- Policy 47 - Sustainable Minerals and Waste Resource Management
- Policy 48 - Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites
- Policy 49 - Primary Aggregates Provision
- Policy 50 - Locational approach to the future supply of primary aggregates
- Policy 51 - Meeting Future Aggregates Requirements
- Policy 52 - Brick Making Raw Materials

- Policy 53 - Surface Mined Coal and Fireclay
- Policy 54 - Natural Building and Roofing Stone
- Policy 56 - Safeguarding Mineral Resources
- Policy 57 - The Conservation and Use of High Grade Dolomite
- Policy 58 - Preferred Areas for Future Carboniferous Limestone Working
- Policy 59 - Strategic Area of Search to the South of Todhills Brickworks
- Policy 60 - Waste Management Provision
- Policy 61 - Location of New Waste Facilities

B Table of Superseded Policies

Table 15 Superseded Local Plans and saved policies

Current Document	Date of Adoption	Superseded by the Local Plan	Notes
City of Durham Local Plan	May 2004	Yes	All remaining saved Local Plan policies to be replaced.
Chester-le-Street Local Plan	October 2003	Yes	
Derwentside District Local Plan	1997	Yes	
Easington Local Plan	December 2001	Yes	
Sedgefield Borough Local Plan	October 1996	Yes	
Teesdale Local Plan	June 2002	Yes	
Wear Valley District Local Plan	March 1997	Yes	
County Durham Minerals Local Plan	December 2000	Partially	All saved policies will be replaced with the exception of the following: M13, M16, M17, M37, M38, M40, M41, M42, M43, M45, M46, M47, M50, M51 and M52. These remaining saved policies will remain extant until they are replaced by the provisions of the Minerals and Waste Policies and Allocations document.
County Durham Waste Local Plan	April 2005	Partially	All saved policies will be replaced with the exception of the following: W6, W26, W27, W29, W31, W32, W34, W35, W46, W47, W50, W54 and W55. These remaining saved policies will remain extant until they are replaced by the provisions of the Minerals and Waste Policies and Allocations document.

C Coal Mining Risk Assessments, Minerals Assessments and Minerals and/or Waste Infrastructure Assessment

C1 Coal Mining Risk Assessments (CMRA)

Policy drivers

Addressing unstable land is required by the National Planning Policy Framework and Policy 32 (Despoiled, Degraded, Derelict, Contaminated and Unstable Land) of the Plan.

Types of Application that require this information

All planning applications unless exempt⁽²¹⁸⁾ which fall within the Coal Mining High Risk Area as defined by the Coal Authority. The council has been provided with maps identifying the extent of High Risk Areas and Low Risk Areas (please refer to the Plan policies map).

Scope of the Coal Mining Risk Assessment

The Coal Mining Risk Assessment should be prepared by a suitably qualified and competent person. The report should:

- present a desk-based review of all available information on the coal mining issues which are relevant to the application site. For example, site specific coal mining information (including past/present/future underground mining, shallow coal workings, mine entries (shafts or adits), mine gas, whether it is within an area which has a current licence to extract coal, geological features, any recorded surface hazards, or whether it is within a former or present surface mining [old opencast] area);
- use that information to identify and assess what risks these coal mining issues, including cumulative effects, pose to the proposed development;
- set out appropriate mitigation measures to address the coal mining legacy issues affecting the site, including any necessary remedial work and/or demonstrate how coal mining issues have influenced the proposed development; and
- demonstrate to the Local Planning Authority that the application site is, or can be made, safe and stable to meet the requirements of national and local policy with regard to development on unstable land.

Any development that involves intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or mine entries will require the prior written permission of The Coal Authority. Note - if an Environmental Statement is required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 as amended, it is suggested that the Coal Mining High Risk Areas is included as a subject within the Environmental Statement.

Developers are advised that an up-to-date Coal Mining Report or Ground Stability Report can be ordered on the www.groundstability.com website provides the coal mining information required to inform a Coal Mining Risk Assessment.

218 Exempt development includes householder developments, heritage consents (Listed Buildings and Conservation Areas), Advertisement Consent, Lawful Development Certificates, Prior Notification (any type), hazardous substances consent, trees or hedgerow works. This list is not exhaustive, the council will be able to advise you on whether a Coal Mining Risk Assessment is required.

Where to look for further assistance:

The National Planning Policy Framework (NPPF) can be found on the MHCLG website:
www.direct.gov.uk

Organisations that can assist:

For information on coal unstable land and derived from the legacy of coal mining:

The Coal Authority Planning and Local Authority Liaison Department
200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG.

Telephone: 01623 637 119

Website: www.coal.gov.uk/services/planning

Email: planningconsultation@coal.gov.uk

For further information on contaminated land in County Durham :

Land Quality Inspection Programme
Durham County Council
Environment, Health and Consumer Protection
Annand House
John Street North
Meadowfield
County Durham DH7 8RS

Telephone: (03000) 261 152

Email: landqualitysurvey@durham.gov.uk

C2 Mineral Assessments**Policy Drivers**

The safeguarding of mineral resources and prevention of unnecessary sterilisation of minerals is required by the NPPF and Policy 56 (Safeguarding Mineral Resources) of the Plan.

Types of application that require this information

All planning applications which occur within a Mineral Safeguarding Area as shown on the policies map should be accompanied by a mineral assessment, except the following:

1. infilling in an otherwise built up frontage within a settlement;
2. householder planning applications within the curtilage of a property;
3. alterations and extensions to existing buildings including applications for new or improved accesses;

4. change of use of existing buildings;
5. minor works such as gates, walls and fences;
6. agricultural buildings adjacent to existing farmsteads;
7. advertisement consent;
8. reserved matters applications following the grant of outline planning permission;
9. listed Buildings Consent and Conservation Area Consent;
10. applications to remove or amend a condition attached to an existing planning permission;
11. prior notifications for telecommunications development, forestry and demolition;
12. works to trees or removal of hedgerows;
13. outside storage;
14. open space (although not outdoor recreation facilities such as golf courses) and allotments;
15. certificates of Lawfulness of Existing Use of Development (CLEUD); and
16. certificates of Lawfulness of Proposed Use or Development (CLOPUD).

What information is required

Information should be relevant, necessary and material to the application in question.

All applicants are encouraged to undertake pre-application discussions on any planning application. The requirement for a Mineral Assessment will be considered in this process. Following pre-application discussions, the council will decide what level of Mineral Assessment is required, if any. The council will also take into consideration the sterilisation potential of the development proposed and the mineral resource being considered.

Basic information on a site can be provided through desk-based appraisal of existing information including reference to existing geological maps, borehole data and previous site investigations. Similarly, key constraints on extraction from the site can be obtained through consideration of the Plan policies map and through site walk-over. This may be sufficient where it can be demonstrated that the site would be unlikely to ever be suitable for minerals extraction or sterilisation would be minimal. In such circumstances it is unlikely that additional information will be required.

Where there is a potential that a site may be suitable for mineral extraction and sterilisation would not be minimal, additional information should be obtained through site ground investigations sampling of the underlying mineral through boreholes and/or trial pits. This would enable quantification of the amount of mineral to be sterilised and through assessing its quality, estimate the value of the mineral. In such instances the Mineral Resource Assessment needs to set out clear conclusions as to the viability of extraction of mineral from the proposed development site, taking account of the presence or absence of constraints, the amount (tonnage) and economic value of the mineral that will be sterilised. It must be borne in mind that safeguarding is about the long-term conservation of finite resources, and so current economic value and viability is only one consideration.

Where prior extraction is feasible a ‘Minerals Recovery Plan’ may be a useful means of setting out the quantity of material to be extracted, proportion proposed for on-site use, and timescale over which extraction will take place. The maximum amount of extraction should be encouraged to minimise the amount of resource sterilised. Where any working of minerals is considered incidental to that of the main non-minerals development, extraction should be considered by the Local Planning Authority as part of the main application.

Table 16 Mineral Assessment Components

	Information requirements and sources
Site location, boundaries and area	<ul style="list-style-type: none"> • Red line area in relation to Mineral Safeguarding Area • Description of development including layout & phasing • Timescale for development
Mineral Resource potentially affected by sterilisation	<ul style="list-style-type: none"> • Type of mineral • Existing geological and mineral exploration data (e.g. previous boreholes in area) • Results of further intrusive investigation if undertaken • Extent of mineral – depth & variability • Overburden – depth & variability, overburden: mineral ratio • Mineral quality – including silt %/content (where relevant) • Estimated tonnage of resource potentially affected • Estimated economic/market value of resource affected
Potential constraints on mineral extraction at location	<ul style="list-style-type: none"> • Site location, proximate receptors, infrastructure/utilities, accessibility • Landscape, biodiversity and heritage designations
Potential opportunities for mineral extraction at location	<ul style="list-style-type: none"> • Proximity to existing mineral sites or processing plant • Previous consideration of site or adjacent land in preparation of Local Plan • Context of site and mineral within wider resource area

	<ul style="list-style-type: none"> • Proximity to viable transport links for mineral haulage • Potential benefits through mineral restoration e.g. land reclamation, landscape enhancement
Conclusions	<ul style="list-style-type: none"> • Amount of mineral at risk of sterilisation • Current and future economic or heritage importance of mineral • Viability of extraction from Site, taking account of existing reserves and potential resources elsewhere • Importance of the proposed non-minerals development
Prior Extraction	
Commercial and market considerations	<ul style="list-style-type: none"> • Interested operators/local market demand • Processing needs • Proximity to processor or market • Potential for on-site use of some or all of the mineral • Accessibility
Practicability and acceptability	<ul style="list-style-type: none"> • Effect on viability of non-minerals development including through delays and changes to landform and character • Site location, setting & proximity to receptors • Accessibility/transport • Hydrology/hydrogeology/drainage • Effect on designations or interests

The Minerals Resource Assessment should be prepared by a suitably qualified and competent person and must be to a standard acceptable to the council. Should an applicant believe that some or all of the information is not necessary, advice should be sought from the council.

Where to look for further assistance

The National Planning Policy Framework can be found on the MHCLG website:
www.direct.gov.uk

Organisations that can assist

For information on mineral resources and mineral resource datasets:

British Geological Survey
Keyworth
Nottingham
NG12 5GG

Tel: +44(0)115 936 3143
Fax: +44(0)115 936 3276
Email: enquiries@bgs.ac.uk

For information on coal resources and coal datasets:

The Coal Authority Planning and Local Authority Liaison Department
200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG.

Telephone: 01623 637 119
Website: <https://www2.groundstability.com/>
Email: planningconsultation@coal.gov.uk

C3 Minerals and/or Waste Infrastructure Assessment

The safeguarding of specific minerals and waste related infrastructure is required by the NPPF and NPPW and Policy 48 (Safeguarding Minerals Sites, Minerals Related Infrastructure and Waste Management Sites) of the Plan. Policy 48 seeks to safeguard these sites and existing mineral sites which are considered important for future mineral supply from encroaching proximal development.

Types of application which require this information

All planning applications which occur within or directly adjacent to a Minerals and Waste Site Safeguarding Zone as shown on the policies map should be accompanied by Minerals and/or Waste Infrastructure Assessment, except the following:

- infilling in an otherwise built up frontage within a settlement;
- householder planning applications within the curtilage of a property;
- alterations and extensions to existing buildings including applications for new or improved accesses; 'Minor' works such as gates, walls and fences;
- agricultural buildings adjacent to existing farmsteads;
- advertisement consent;
- reserved matters applications following the grant of outline planning permission;
- listed Buildings Consent and Conservation Area Consent;
- applications to remove or amend a condition attached to an existing planning permission;

- prior notifications for telecommunications development, forestry and demolition;
- works to trees or removal of hedgerows;
- outside storage;
- proposals necessary for coastal management;
- certificates of Lawfulness of Existing Use of Development (CLEUD);
- certificates of Lawfulness of Proposed Use or Development (CLOPUD).
- open space (although not outdoor recreation facilities such as golf courses) and allotments; and
- change of use of existing buildings.

What information is required?

Information should be relevant, necessary and material to the application in question. All applicants are encouraged to undertake pre-application discussions on any planning application. The requirement for a Minerals and/or Waste Infrastructure Assessment will be considered in this process. Following pre-application discussions, the council will decide what level of Mineral Assessment is required, if any.

Table 17 Minerals and/or Waste Infrastructure Assessments

	Information Requirements & Sources
Site location, boundaries and area	<ul style="list-style-type: none"> • Red line area of planning application site in relation to safeguarded site • Description of proposed development • Timescale for proposed development
Description of minerals and/or waste facility potentially affected	<ul style="list-style-type: none"> • Type of site, infrastructure or waste management facility • Type of mineral extracted, handled or processed and/or waste managed • Throughput/capacity of site
Assessment of potential sensitivity of proposed non-mineral and/or non-waste development to operation of existing/allocated minerals and/or waste site	<ul style="list-style-type: none"> • Noise • Dust • Traffic • Visual • Light

<p>Assessment of impact of non-minerals and/or non-waste development on safeguarded site/infrastructure</p>	<ul style="list-style-type: none"> • Loss of capacity – none, partial, total • Potential constraint on facility – none or partial
<p>Assessment of proposed measures to mitigate potential impacts of operation of infrastructure on non-minerals and/or non-waste development</p>	<ul style="list-style-type: none"> • External and internal design and orientation e.g. landscaping; living and sleeping areas facing away from safeguarded site/infrastructure • Fabric and features e.g. acoustic screening & insulation; non-opening windows; active ventilation.
<p>Conclusions</p>	<ul style="list-style-type: none"> • Safeguarded site, infrastructure or waste management facility will not be lost • Sensitivity of proposed development to effects of operation of safeguarded site, infrastructure or waste management can be mitigated satisfactorily; or • If loss of site or capacity, or constraints on operation, evidence it is not required or can be re-located or provided elsewhere

Where to look for further assistance?

For information on specific safeguarded mineral site, mineral infrastructure or waste management facility please contact Durham County Council.

D Safeguarding Mineral Resources and Safeguarded Minerals and Waste Sites

This appendix supports Policy 48 (Safeguarding Minerals Related Infrastructure and Waste Management Sites), Policy 56 (Safeguarding Mineral Resources) and Policy 57 (The Conservation and use of High Grade Dolomite). It provides information on our approach to the preventing the sterilisation and the safeguarding of minerals resources of local and national importance and also identifies which mineral transportation facilities, mineral processing and secondary aggregate recycling facilities and waste sites are to be safeguarded.

Table 18 Approach to safeguarding mineral resources

Mineral	Approach taken
Magnesian Limestone (including proved areas of high grade dolomite)	We have safeguarded the most important parts of the magnesian limestone resource. Most quarrying of the magnesian limestone in County Durham is from the Lower Magnesian Limestone (also known as the Raisby Formation) which we have safeguarded, whilst buffering the eastern edge of the Lower Magnesian Limestone outcrop to take into account the likelihood of quarries working down into the Lower Magnesian Limestone resource through the overlying Middle Magnesian Limestone (also known as the Ford Formation). In addition we have also sought to safeguard an area of Middle Magnesian Limestone in east Durham in the vicinity of Hawthorn Quarry which has previously been identified as a Minerals Local Plan Mineral Consultation Area. In order to protect mineral resources of recognised national importance we have safeguarded two quarries where high grade dolomite is known to occur, as "High Grade Dolomite Reserves". These quarries are Thrislington Quarry East near West Cornforth and Hawthorn Quarry which lies to the south of Seaham. In addition we have also identified an area of land to the east of Thrislington Quarry East of the A1(M) which was specifically protected by the Minerals Local Plan, as a "High Grade Dolomite Resource". Available information also suggests that high grade dolomite from the middle magnesian limestone also lies to the north and west of Hawthorn Quarry for an unknown distance. However, uncertainty in relation to the extent and quality of the resource prevents its specific identification as a resource area.
Carboniferous Limestone	We have safeguarded the entire carboniferous limestone resource.
Dolerite	We have safeguarded the entire dolerite resource.

Mineral	Approach taken
Sand and gravel	We have safeguarded the entirety of the fluvial and glacial sand and gravel resource. In addition we have also safeguarded blown sand and raised beach deposits.
Basal permian sand	We have safeguarded the outcrop of basal permian sand and known areas where it lies at accessible depths.
Silica sand	We have safeguarded the entire outcrop of silica sand.
Brick clay and shale	We have safeguarded existing permissions and the proposed area of search south of Todhills Brickworks. Further potential areas containing brick clay and shale would be safeguarded through our approach to safeguarding the coal resource area.
Surface mined coal	We have safeguarded the entirety of the Coal Resource Area (identified by the Coal Authority on their Coal Resource Plan).
Natural building and roofing stone	Information on the distribution of building stone resources is less detailed than for other forms of surface minerals. Geological deposits with potential to contain building stone resources are potentially very extensive across the area, although in practice it is likely that only very small parts of these will contain stone with the right technical and aesthetic properties to constitute viable sources of supply of building stone. The council will safeguard all existing active natural building and roofing stone quarries: Dunhouse Quarry; Stainton Quarry; Shipley Banks Quarry; Windy Hill Quarry; Cat Castle Quarry; and Lingberry Quarry. The council will also safeguard all dormant natural building and roofing stone quarries in County Durham. In addition the council will safeguard all relic sandstone and slate quarries in County Durham identified by English Heritage through their Strategic Stone Study.
Fluorspar	We have safeguarded all known fluorspar veins.
Barytes	We have safeguarded all known barytes veins.

Table 19 Safeguarded Waste Management Sites

Site	Operator	Type of Operation
Aycliffe Quarry and Landfill, Aycliffe Village	John Wade Group	Material Recycling Facility / Non-Hazardous Landfill / Composting
Joint Stocks Quarry and Landfill, Coxhoe	Durham County Council	Composting / Non-Hazardous Landfill

Site	Operator	Type of Operation
Potterhouse Lane HWRC, Durham	H.W.Martin	Household Waste Recycling Centre
Heighington HWRC, Newton Aycliffe	H.W.Martin	Household Waste Recycling Centre
Hornden HWRC, Peterlee	H.W.Martin	Household Waste Recycling Centre
Middleton HWRC, Middleton-in-Teesdale	H.W.Martin	Household Waste Recycling Centre
Romanway HWRC, Bishop Auckland	H.W.Martin	Household Waste Recycling Centre
Strangford Road HWRC, Seaham	H.W.Martin	Household Waste Recycling Centre
Tudhoe HWRC, near Spennymoor	H.W.Martin	Household Waste Recycling Centre
Coxhoe HWRC, Coxhoe	H.W.Martin	Household Waste Recycling Centre
Hett Hills HWRC, Chester-le-Street	H.W.Martin	Household Waste Recycling Centre
Thornley HWRC, Shotton Colliery	H.W.Martin	Household Waste Recycling Centre
Annfield Plain HWRC, Annfield Plain	H.W.Martin	Household Waste Recycling Centre
Stainton Grove HWRC, Barnard Castle	H.W.Martin	Household Waste Recycling Centre
Bishop Middleham Quarry, Bishop Middleham	W & M Thompson (Quarries) Ltd	Inert Landfill
Crime Rigg Quarry, Shadforth	Breedon	Inert Landfill
Old Quarrington Quarry, Bowburn	Tarmac	Inert Landfill
Thornley Transfer Station, Thornley Station Ind Est, Shotton Colliery	Durham County Council	Non-Hazardous Waste Transfer

Site	Operator	Type of Operation
Heighington Lane Transfer Station, Newton Aycliffe	Durham County Council	Non-Hazardous Waste Transfer
Annfield Plain Transfer Station, Annfield Plain	Durham County Council	Non-Hazardous Waste Transfer
Stainton Grove Transfer Station, Barnard Castle	Durham County Council	Non-Hazardous Waste Transfer
Old Brickworks, Tanfield	Ken Thomas Site Clearance Ltd	Non-Hazardous Waste Transfer
Westline Transfer Station, Westline Industrial Estate, Birtley	JBT Waste Services Ltd	Non-Hazardous Waste Transfer
Tonks Recycling, Tursdale Industrial Estate, Durham	Tonks Recycling	Non-Hazardous Waste Transfer

Table 20 Safeguarded Mineral Sites (Sites with planning permission for mineral working (position at 1 January 2019)).

Site	Operator	Minerals extracted
Low Harperley, near Wolsingham	Breedon	Sand & Gravel
Crime Rigg Quarry, Shadforth	Breedon	Magnesian Limestone and Basal Permian Sand
Running Waters Quarry, Sherburn	Breedon	Magnesian Limestone
Cornforth West, West Cornforth	Tarmac	Magnesian Limestone
Cornforth East, West Cornforth	Tarmac	Magnesian Limestone
Hummerbeck, near West Auckland	Hall Construction	Sand & Gravel
Birtley Quarry, Birtley	Ibstock Brick Ltd	Brickclay / Shale
Weather Hill Quarry, near Stanhope	Hobson Brothers	Moulding Sand
Witch Hill Quarry, Shadforth	Breedon	Magnesian Limestone
Heights Quarry, Westgate	Aggregate Industries	Carboniferous Limestone

Site	Operator	Minerals extracted
Old Quarrington and Cold Knuckles Quarry, Bowburn	Tarmac	Magnesian Limestone and Basal Permian Sand
Raisby Quarry (also known as Coxhoe Quarry), Coxhoe	Hope Construction Materials	Magnesian Limestone
Harthope Head Quarry, Langdon Fell	Mr R Scott	Ganister
Bishop Middleham Quarry, Bishop Middleham	W & M Thompson (Quarries) Ltd	Magnesian Limestone
Force Garth Quarry, High Force, Middleton-in-Teesdale	Cemex UK Materials Ltd	Whinstone
Windy Hill Quarry, Barnard Castle	Windy Hill Quarry Construction Co	Sandstone
Shipleigh Banks Quarry, Marwood	Shipleigh Quarries	Sandstone
Lingberry Quarry, Staindrop	Border Stone Quarries	Sandstone
Dunhouse Quarry, Staindrop	Dunhouse Quarry Co Ltd	Sandstone
Stainton Quarry, Stainton	Stainton Quarry Ltd	Sandstone
Cat Castle Quarry, Lartington	Dunhouse Quarry Co Ltd	Sandstone
Hulands Quarry, Bowes	Aggregate Industries	Carboniferous Limestone
Kilmond Wood Quarry, Bowes	Kearton Farms Ltd	Carboniferous Limestone
Broadwood Quarry, Frosterley	Breedon	Carboniferous Limestone
Long Lane, Todhills	Wienerberger	Brickclay
Newlandside Quarry, Staindrop	Indigo Pacific	Carboniferous Limestone
Thrislington Quarry West, West Cornforth	Tarmac	Magnesian Limestone and Basal Permian Sand
Thrislington Quarry East, West Cornforth	Tarmac	Magnesian Limestone and High Grade Dolomite
Eldon Quarry, Eldon	n/a	Brickclay / Shale

Table 21 Safeguarded Mineral Sites which would require new schemes of working and restoration conditions prior to working recommencing (position at 1 January 2019).

Site	Mineral.
Lunehead, Teesdale	Barytes
Bollihope (Jopler Sykes), Frosterley, Wear Valley.	Carboniferous Limestone
Bollihope L20, Frosterley, Wear Valley.	Carboniferous Limestone
Bollihope L21, Frosterley, Wear Valley.	Carboniferous Limestone
Carriers Hill, Killhope, Wear Valley.	Carboniferous Limestone
Greenfield, Lanehead, Wear Valley.	Carboniferous Limestone
Parson Byers, Stanhope, Wear Valley.	Carboniferous Limestone
Puddingthorn. Lanehead, Wear Valley	Carboniferous Limestone
Scutterhill, Westgate, Wear Valley	Carboniferous Limestone
Side Head, Westgate, Wear Valley	Carboniferous Limestone
White Hills, Ireshopeburn, Wear Valley	Carboniferous Limestone
Cockfield, Teesdale	Dolerite
Crossthaite, Holwick, Teesdale	Dolerite
Greenfoot, Stanhope, Wear Valley	Dolerite
Middleton, Holwick, Teesdale	Dolerite
Park End, Holwick, Teesdale	Dolerite
Stotsfieldburn, Rookhope, Wear Valley.	Fluorspar
Bollihope (Harnisha Burn & Yew Tree), Frosterley, Wear Valley.	Fluorspar
Burtree Pasture, Cowshill, Wear Valley.	Fluorspar
Sedling Mine, Cowshill, Wear Valley.	Fluorspar
Slitt Pasture, Westgate, Wear Valley.	Fluorspar
West Blackdene, Ireshopeburn, Wear Valley	Fluorspar
Castleside, Castleside.	Ganister

Site	Mineral.
Cat Crag, Lanehead, Wear Valley.	Ganister
Doctors Gate, Wolsingham, Wear Valley/Teesdale.	Ganister
Harthope West, St John's Chapel, Wear Valley	Ganister
Howden Burn, Frosterley, Wear Valley.	Ganister
Lintzgarth, Rookhope, Wear Valley.	Ganister
Muggleswick Common, Stanhope, Derwentside.	Ganister
Redmires, Wolsingham, Wear Valley.	Ganister
Roundhill, Rogerley, Wear Valley.	Ganister
Tuthill Quarry, Haswell, Easington	Magnesian Limestone
Houselop Beck, Wolsingham, Wear Valley	Moulding Sand
Page Bank, Byers Green, Wear Valley	Sand & Gravel
Roger Hill, Derwent Bridge Wear Valley	Sand & Gravel
Wolsingham, Wear Valley	Sand & Gravel
Berry Bank, Edmondbyers ,Wear Valley	Sandstone
Viewly Hill, High Stoop Quarry, Wolsingham, Wear Valley	Sandstone
Wharnley Burn Farm, Castleside, Derwentside.	Sandstone
Harrowbank and Ashby Bank (IDO/3/1)	Carboniferous Limestone
Hawthorn (IDO/5/1)	Magnesian Limestone
Gypsy Lane (IDO/7/6)	Sand and gravel
Land south of Gladstone Terrace, Chilton Quarry (IDO7/3/1)	Sand and gravel

Table 22 Relic Quarries to be Safeguarded

Quarry Name	Geology	Grid Reference		
Baxton Law Quarry	Grindstone Sandstone	NY	393620	546700
Quickburn	Lower Coal Measures Sandstone	NZ	408000	542800

Quarry Name	Geology	Grid Reference		
Woodburn	Lower Coal Measures Sandstone	NZ	408250	543820
Butsfield Quarry	Lower Coal Measures Sandstone	NZ	409655	544495
Drovers Roadside Quarry	Lower Coal Measures Sandstone	NZ	409437	542973
Hermitage Ganister	Lower Coal Measures Sandstone	NZ	409500	543250
Salters Gate	Lower Coal Measures Sandstone	NZ	406505	543525
Hall Heads	Lower Coal Measures Sandstone	NZ	425170	531845
Hall Heads	Lower Coal Measures Sandstone	NZ	425085	531865
Quarry Houses	Lower Coal Measures Sandstone	NZ	423605	531060
Westerton	Lower Coal Measures Sandstone	NZ	423780	531100
Westerton	Lower Coal Measures Sandstone	NZ	424000	531205
Westerton	Lower Coal Measures Sandstone	NZ	423660	531180
Hown's Quarry	Lower Coal Measures Sandstone	NZ	409700	548900
Partridge Close	Lower Coal Measures Sandstone	NZ	413195	544740
Low Hermitage	Lower Coal Measures Sandstone	NZ	409522	543196
Drover House	Lower Coal Measures Sandstone	NZ	409375	542545
Drover House	Lower Coal Measures Sandstone	NZ	409398	542574

Quarry Name	Geology	Grid Reference		
		NZ	Easting	Northing
Adelphi Plantation	Lower Coal Measures Sandstone	NZ	410311	542566
Hermitage Plantation	Lower Coal Measures Sandstone	NZ	410612	542992
Coalford Quarry	Lower Coal Measures Sandstone	NZ	411366	543017
Coalford Bridge	Lower Coal Measures Sandstone	NZ	411481	543201
Steeley Burn	Lower Coal Measures Sandstone	NZ	411077	542865
Kennel Wood	Lower Coal Measures Sandstone	NZ	411027	542260
Lodge Wood	Lower Coal Measures Sandstone	NZ	411301	541695
Hutchet Wood	Lower Coal Measures Sandstone	NZ	410453	541996
Low Hermitage	Lower Coal Measures Sandstone	NZ	409274	543062
Rackwood Hill	Lower Coal Measures Sandstone	NZ	409105	529905
Cockfield Fell	Lower Coal Measures Sandstone	NZ	412169	524629
Cockfield Fell	Lower Coal Measures Sandstone	NZ	412333	524589
Butterknowle Farm	Lower Coal Measures Sandstone	NZ	412983	525083
Low Lands	Lower Coal Measures Sandstone	NZ	413291	524997
Low Lands	Lower Coal Measures Sandstone	NZ	413475	524883
Charley Pasture Quarry	Lower Coal Measures Sandstone	NZ	411914	524342

Quarry Name	Geology	Grid Reference		
		NZ	Easting	Northing
Peathrow East	Lower Coal Measures Sandstone	NZ	410822	524316
Oaky Bank Quarry	Lower Coal Measures Sandstone	NZ	409939	524383
Lower West Garth	Lower Coal Measures Sandstone	NZ	411043	524574
Cockfield Fell	Lower Coal Measures Sandstone	NZ	412028	525483
Cockfield Fell	Lower Coal Measures Sandstone	NZ	412061	525427
Cockfield Fell	Lower Coal Measures Sandstone	NZ	412721	525153
Brusselton Wood	Lower Coal Measures Sandstone	NZ	419658	525275
Brusselton Quarry	Lower Coal Measures Sandstone	NZ	420166	525068
Brusselton Wood	Lower Coal Measures Sandstone	NZ	420305	525089
Brusselton	Lower Coal Measures Sandstone	NZ	419266	525362
Brusselton	Lower Coal Measures Sandstone	NZ	420627	525040
Latterington Hall	Lower Coal Measures Sandstone	NZ	418873	524432
North Wood	Lower Coal Measures Sandstone	NZ	411459	523718
White Hall	Main Post Sandstone	NZ	423311	550979
Blue House	Main Post Sandstone	NZ	423432	552847
Rabbit Hills	Main Post Sandstone	NZ	423168	553262
Urpeth Common	Middle Coal Measures Sandstone	NZ	423120	553492

Quarry Name	Geology	Grid Reference		
		NZ		
High Row	Middle Coal Measures Sandstone	NZ	424517	552112
Burnthouse Quarries	Middle Coal Measures Sandstone	NZ	425393	551807
Congburn	Middle Coal Measures Sandstone	NZ	424776	550316
Smithydean Quarries	Middle Coal Measures Sandstone	NZ	424754	549459
Smithydean Quarries	Middle Coal Measures Sandstone	NZ	424550	549563
Sniperley	Middle Coal Measures Sandstone	NZ	425911	544564
Sniperley	Middle Coal Measures Sandstone	NZ	425227	544510
Low Brasside Moor	Middle Coal Measures Sandstone	NZ	430391	545990
Brasside Quarry	Middle Coal Measures Sandstone	NZ	430235	546095
Mallygill Quarry	Middle Coal Measures Sandstone	NZ	430663	545651
Woodwell House	Middle Coal Measures Sandstone	NZ	429860	545041
Frankland Wood	Middle Coal Measures Sandstone	NZ	429474	544956
Frankland Wood	Middle Coal Measures Sandstone	NZ	429633	544873
Kepier Wood	Middle Coal Measures Sandstone	NZ	429584	544737
Kepier Wood	Middle Coal Measures Sandstone	NZ	429411	544193
New Pittington	Middle Coal Measures Sandstone	NZ	432625	544291

Quarry Name	Geology	Grid Reference		
		NZ		
Kepier Quarries	Middle Coal Measures Sandstone	NZ	429277	544002
East Brandon Wood	Middle Coal Measures Sandstone	NZ	420772	539996
Brandon Hall	Middle Coal Measures Sandstone	NZ	423243	539956
Littleburn	Middle Coal Measures Sandstone	NZ	425802	539965
Borehole Wood	Middle Coal Measures Sandstone	NZ	425905	539956
Rabbit Hill Plantation	Middle Coal Measures Sandstone	NZ	420842	539158
Little Burn	Middle Coal Measures Sandstone	NZ	425879	538733
Rabbit Hill Plantation	Middle Coal Measures Sandstone	NZ	420924	539154
Brandon Colliery	Middle Coal Measures Sandstone	NZ	424213	539587
Cascade Walk	Middle Coal Measures Sandstone	NZ	425828	538792
Long Hill	Middle Coal Measures Sandstone	NZ	420327	540751
Pit Cottage	Middle Coal Measures Sandstone	NZ	427346	543091
Crook Hill	Middle Coal Measures Sandstone	NZ	427436	543191
Ferryhill	Middle Coal Measures Sandstone	NZ	429021	533261
Strawberry Cottage	Middle Coal Measures Sandstone	NZ	429158	533185
Grange Hill	Middle Coal Measures Sandstone	NZ	423152	528920

Quarry Name	Geology	Grid Reference		
		NZ	421991	529800
Sewell Wood	Middle Coal Measures Sandstone	NZ	421991	529800
Shawbrow Hill	Middle Coal Measures Sandstone	NZ	422154	527336
Green Hill	Slate	NY	384791	529570
Berry Bank	Stainmore Formation Sandstone	NZ	401290	550670
Catcastle Quarry	Stainmore Formation Sandstone	NZ	401400	516470
Dead Friars 2 Quarry	Stainmore Formation Sandstone	NY	396900	545400
Dunhouse Quarry	Stainmore Formation Sandstone	NZ	411350	519300
Harthope Head	Stainmore Formation Sandstone	NY	386475	533850
Shipley Banks Quarry	Stainmore Formation Sandstone	NZ	401705	520820
Stainton Quarry	Stainmore Formation Sandstone	NZ	406955	519030
Windy Hill Quarry	Stainmore Formation Sandstone	NZ	402170	521660
Redgate	Stainmore Formation Sandstone	NZ	408235	538140
Wiserley Hill	Stainmore Formation Sandstone	NY	402285	537665
Stainton Grange	Stainmore Formation Sandstone	NZ	407075	518830
Dead Friars 1	Stainmore Formation Sandstone	NY	397180	545185
Lingberry Quarry	Stainmore Formation Sandstone	NZ	408525	520550
Catty Crag	Stainmore Formation Sandstone	NY	394918	517018

Quarry Name	Geology	Grid Reference		
		NY	397375	519895
Yew Scar	Stainmore Formation Sandstone	NY	397375	519895
West Town	Stainmore Formation Sandstone	NZ	406305	517450
Town Head	Stainmore Formation Sandstone	NZ	405795	517100
Shipley Banks	Stainmore Formation Sandstone	NZ	401560	520925
Baxtongill	Stainmore Formation Sandstone	NZ	402530	520790
High Park Wall	Stainmore Formation Sandstone	NZ	403450	519820
Clints	Stainmore Formation Sandstone	NY	398350	513700
East Middleton	Stainmore Formation Sandstone	NZ	414552	512701
Hutton Fields	Stainmore Formation Sandstone	NZ	413495	511707
Bail Hill Quarries	Stainmore Formation Sandstone	NY	396901	522220
Bail Hill Quarries	Stainmore Formation Sandstone	NY	397058	522260
Howe Gill Quarries	Stainmore Formation Sandstone	NZ	402696	522418
Howe Gill Quarries	Stainmore Formation Sandstone	NZ	402565	522389
Moss Close	Stainmore Formation Sandstone	NZ	402493	521791
Shipley Banks Quarries	Stainmore Formation Sandstone	NZ	402198	520978
Shipley Banks Quarries	Stainmore Formation Sandstone	NZ	401481	521165

Quarry Name	Geology	Grid Reference		
		NZ	Easting	Northing
Shipley Banks Quarries	Stainmore Formation Sandstone	NZ	401500	521078
Belle Vue	Stainmore Formation Sandstone	NZ	404484	519358
Knot Hill	Stainmore Formation Sandstone	NZ	403794	519225
Knot Hill	Stainmore Formation Sandstone	NZ	403740	519269
Knot Hill	Stainmore Formation Sandstone	NZ	404199	518884
Towler Hill	Stainmore Formation Sandstone	NZ	403760	517656
Bowes Dunn House Quarry	Stainmore Formation Sandstone	NZ	411195	519308
Dunn House Quarry	Stainmore Formation Sandstone	NZ	411133	519256
Dunn House Quarries	Stainmore Formation Sandstone	NZ	411153	519170
West View	Stainmore Formation Sandstone	NZ	405295	515794
Cat Castle Quarries	Stainmore Formation Sandstone	NZ	401096	516338
Cat Castle Quarries	Stainmore Formation Sandstone	NZ	401202	516397
Sealgill Quarries	Stainmore Formation Sandstone	NY	397357	513208
Westwick Moor	Stainmore Formation Sandstone	NZ	408707	517205
Tinklers Quarry	Stainmore Formation Sandstone	NY	396977	517837

Table 23 Safeguarded Mineral Transportation Infrastructure

Thrislington rail head. This facility is connected to the rail network via a small rail line connecting with the East Coast Mainline).	Weardale Railway Line - The Weardale Railway line also has the potential to be used for mineral trans-shipment. Our current view is that the Weardale Railway should be safeguarded with the proviso that safeguarding will not prejudice the use of the line for passenger traffic.
Ferryhill-Cornforth-Raisby Quarry alignment. This rail alignment has the potential to connect the East Coast Main Line with Raisby Quarry.	Leamside Line
Rail Facility at Ferryhill Station	Railhead at Seaham Harbour and Port of Seaham.

Table 24 Safeguarded Mineral Processing Infrastructure

Site Name	Location	Operator
Todhills Brickworks	Todhills	Wienerberger
Coated road stone – Asphalt Plant	Force Garth Quarry, High Force, Middleton in Teesdale	Cemex Uk Materials Ltd
Coated road stone – Asphalt Plant	Heights Quarry, Westgate	Aggregate Industries Ltd
Coated road stone – Asphalt Plant	Hulands Quarry, Bowes	Aggregate Industries Ltd
Coated road stone – Asphalt Plant	Coxhoe Quarry	Tarmac
Kilns for production of calcined material, Concrete Plant and Sand recovery plant	Thrislington Quarry, Cornforth	Tarmac

Table 25 Safeguarded Recycled and Secondary Aggregate Sites

Site Name	Location	Operator
Bishop Middleham Quarry	Bishop Middleham	W&M Thomson
Aycliffe Quarry	Aycliffe	Stonegrave Aggregates

Site Name	Location	Operator
Thrislington Quarry	Cornforth	Tarmac
Old Quarrington Quarry	Bowburn	Tarmac
Heights Quarry	Westgate	Aggregate Industries
Hulands Quarry	Near Bowes	Aggregate Industries

Table 26 Safeguarded Concrete plants in County Durham

Site	Location	Operator
Consett Plant	Main Street, Crookhall, Consett	Cemex Readymix
Durham Plant	Littleburn Industrial Estate, Langley Moor	Cemex Readymix
Newton Aycliffe Plant	Behind BSC, Off Cumbie Way, Newton Aycliffe	Cemex Readymix
Ferryhill	Thrislington Quarry, West Cornforth	Ready Mix Concrete
Crime Rigg Quarry	Durham Concrete Plant, Crime Rigg Quarry, Shadforth, Sherburn Hill	Breedon
Durham	Dragonville Industrial Estate, Rennys Lane, Durham	Hope Construction Materials
Bishop Auckland	Romanway Industrial Estate, Tindale Crescent, Bishop Auckland	Hope Construction Materials
Coxhoe	Coxhoe Quarry, off Station Road, Raisby Hill, Coxhoe	Hope Construction Materials

E Glossary of Terms

This glossary of terms defines terms used in this report:

Affordable housing: housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a. Affordable housing for rent: meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent);
- b. Starter homes: is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used;
- c. Discounted market sales housing: is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households; or
- d. Other affordable routes to home ownership: is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision, or refunded to government or the relevant authority specified in the funding agreement.

Aggregate: Sand, gravel, crushed rock and other bulk materials, used by the construction industry.

Air Quality Management Areas: Areas designated by local authorities because they are not likely to achieve national air quality objectives by the relevant deadlines.

Ancient or veteran tree: A tree which, because of its great age, size or condition is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage.

Ancient woodland: An area that has been wooded continuously since at least 1600 AD. It includes ancient semi-natural woodland and plantations on ancient woodland sites (PAWS).

Amenity: A broad concept that refers to the pleasant or satisfactory aspects of a place which add positively to its overall character and to the enjoyment of residents or visitors. For example, it encompasses human health, quality design, provision and protection of local services, local economy

and the protection of the countryside, historic environment, environmental character and visual, air and noise quality. Amenity also encompasses leisure and sporting areas, such as playing fields and other open spaces used for sport.

Archaeological interest: There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point.

Area of Outstanding Natural Beauty (AONB): An area with statutory national landscape designation, the primary purpose of which is to conserve and enhance natural beauty. Together with National Parks, they represent the finest landscapes.

Article 4 direction: A direction made under the Town and Country Planning Act to remove some or all permitted development rights in an area or on a site.

Basal Permian Sand: This is a bedrock deposit of sand which is found along the base of the Magnesian Limestone Escarpment and dips to the east beneath the limestone. The resource can be used as a building and asphaltting sand or combined with limestone fines to make a product suitable for concreting purposes.

Best and Most Versatile Agricultural Land: Land in grades 1, 2 and 3a of the Agricultural Land Classification.

Brownfield land: See previously developed land.

Brownfield land registers: Registers of previously developed land that local planning authorities consider to be appropriate for residential development, having regard to criteria in the Town and Country Planning (Brownfield Land Registers) Regulations 2017. Local planning authorities will be able to trigger a grant of permission in principle for residential development on suitable sites in their registers where they follow the required procedures.

Build to Rent: Purpose built housing that is typically 100% rented out. It can form part of a wider multi-tenure development comprising either flats or houses, but should be on the same site and/or contiguous with the main development. Schemes will usually offer longer tenancy agreements of three years or more, and will typically be professionally managed stock in single ownership and management control.

Built up area: The built up area is land contained within the main body of existing built development of a settlement or is within a settlement boundary defined in a Neighbourhood Plan. Areas falling outside this definition will be regarded as countryside.

Capacity (in waste context): The ability of existing facilities to deal with all the waste which occurs.

Climate change adaptation: Adjustments made to natural or human systems in response to the actual or anticipated impacts of climate change, to mitigate harm or exploit beneficial opportunities.

Climate change mitigation: Action to reduce the impact of human activity on the climate system, primarily through reducing greenhouse gas emissions.

Community Right to Build Order: An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.

Coastal change management area: An area identified in plans as likely to be affected by physical change to the shoreline through erosion, coastal landslip, permanent inundation or coastal accretion.

Commercial and Industrial waste: Commercial and Industrial waste (C&I) is produced by all business and industrial sectors.

Comparison shopping: The provision of retail items not obtained on a frequent basis, i.e. not classified as convenience shopping (see definition below), which the purchaser will compare on the basis of price and quality before a purchase is made, e.g. clothes, fashion, gift merchandise, electrical goods (white and brown), gas cookers and furniture.

Conservation (for heritage policy): The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

Conservation Area: Areas of special architectural or historic interest, the character, appearance or setting of which it is desirable to preserve or enhance.

Construction/Demolition and Excavation Waste: Construction/Demolition and Excavation Waste (CDEW) is waste arising from site construction or refurbishment, demolition or excavation. Specific types of waste which commonly fall under the CD&E definition include plasterboard, bricks, soils, glass and tiles.

Convenience Shopping: Broadly defined as food shopping, drinks, tobacco, newspapers, magazines and confectionery, purchased regularly for relatively immediate consumption.

Countryside: See built up area.

Crushed rock: Hard types of rock, which have been quarried, fragmented and graded for use as aggregate.

Decentralised energy: Local renewable and low-carbon energy sources.

Degraded land: Land that has lost some degree of its natural productivity due to excessive or inappropriate exploitation resulting in a deterioration in its quality i.e. its topsoil, vegetation, and/or water resources.

Deliverable: To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans); or
- where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of planning permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

Density: In the case of residential development, a measurement of either the number of habitable rooms per hectare or the number of dwellings per hectare.

Derelict land: Land that has become damaged by industrial or other development and beyond beneficial use without treatment. Treatment may include demolition and levelling. The land may have been abandoned or have unoccupied buildings in an advanced state of disrepair.

Designated heritage asset: A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

Developable: To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

Development: Development means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Development management: The process whereby a local planning authority manages, shapes, and considers the merits of a planning application and whether it should be given permission with regard to the development plan.

Development plan: Defined in section 38 of the Planning and Compulsory Purchase Act 2004, and includes adopted local plans, neighbourhood plans that have been made and published spatial development strategies, together with any regional strategy policies that remain in force. Neighbourhood plans that have been approved at referendum are also part of the development plan, unless the local planning authority decides that the neighbourhood plan should not be made.

Economic development: Development, including those within the B Use Classes, public and community uses and main town centre uses (but excluding housing development).

Edge of centre: For retail purposes, a location that is well connected to, and up to 300 metres from the primary shopping area. For all other main town centre uses, a location within 300 metres of a town centre boundary. For office development, this includes locations outside the town centre but within 500 metres of a public transport interchange. In determining whether a site falls within the definition of edge of centre, account should be taken of local circumstances.

Employment land: Land identified for business, general industrial, and storage and distribution development as defined by Classes B1, B2 and B8 of the Use Classes Order. It does not include land for retail development.

Employment Land Review (ELR): The study will review current employment land supply and look to identify the appropriate type, quantity and location of employment land which will be capable of accommodating the economic growth trajectories.

Environment Agency: Government body with responsibility for issues relating to flood risk; pollution and contamination; and waste licensing.

Environmental impact assessment: A procedure to be followed for certain types of project to ensure that decisions are made in full knowledge of any likely significant effects on the environment.

Equality Impact Assessment (EqIA): Seeks to ensure that plans will promote equality and assess any risk of discrimination before policies are introduced or changed. The process checks that reasonable steps are being taken to tackle disadvantage and meet the diverse needs for all communities.

European site: This includes candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation and Special Protection Areas, and is defined in regulation 8 of the Conservation of Habitats and Species Regulations 2010.

Evidence base: The information and data gathered by local authorities to justify the “soundness” of the policy approach set out in Local Plans, including physical, economic, and social characteristics of an area.

Examination in Public: The process by which an Independent Planning Inspector publicly examines a submitted development plan, together with any public representations, before issuing a report.

Fluvial and glacial sand: These are superficial deposits of sand laid down in the last two million years. Once extracted the resource is often suitable for concreting sand.

Geodiversity: The range of rocks, minerals, fossils, soils and landforms.

Green Belt (not to be confused with the term ‘greenfield’): The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Greenfield land or site: Land (or a defined site) which has never been built on before or where the remains of any structure or activity have blended into the landscape over time.

Green infrastructure: A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. Green Infrastructure also encompasses water-based environments such as rivers and smaller watercourse systems, coastal environments, reservoirs, wetlands, ponds and urban Sustainable Drainage systems. These are sometimes known as blue infrastructure or blue spaces.

Habitats Regulation Assessment: An assessment of the Plan's likely impact on wildlife habitats of European importance. Also known as an 'Appropriate Assessment'.

Habitats site: Any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.

Hazardous waste: Material or substances potentially harmful to health or the environment, including oils and asbestos, batteries, and fluorescent lighting.

Hectare: A metric unit to measure land. One hectare equals 2.47 acres or 10,000 square metres. One hectare of land can often accommodate 30 houses.

Heritage asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

Heritage Coast: Areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.

Historic England: Government body with responsibility for all aspects of protecting and promoting the historic environment.

Historic environment: All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

Housing Delivery Test : Measures net additional dwellings provided in a local authority area against the homes required, using national statistics and local authority data. The Secretary of State will publish the Housing Delivery Test results for each local authority in England every November.

Inert waste: Waste that does not cause contamination or danger to human health by decomposing or reacting physically, chemically or biologically (e.g. Rubble, glass, concrete).

Infrastructure Delivery Plan (IDP): Identifies what physical, social and green infrastructure is needed, such as new roads, schools and open spaces, who will deliver this and when.

Irreplaceable Habitat: Habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. They include ancient woodland, ancient and veteran trees, blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen.

Listed building: A building of special architectural or historic interest. Graded I (highest quality), II* or II. Listing includes the interior as well as the exterior of the building, and includes any buildings or permanent structures within its curtilage which have formed part of the land since before 1 July 1948. Historic England is responsible for designating buildings for listing in England.

Local Aggregate Assessment: An annual assessment of the demand for and supply of aggregates in a mineral planning authority's area. A mineral planning authority must either prepare a Local Aggregate Assessment on its own or jointly with one or more other minerals planning authority if it wishes.

Local Authority Collected Waste (LACW): All waste collected by the local authority (and is sometimes known as municipal waste). LACW generally consists of all waste produced by householders and collected by the council or delivered to household waste recycling centres. It includes both non-municipal waste fractions (such as construction and demolition waste if collected by the Local Authority) and waste which is 'similar in nature and composition' (such as business waste).

Local Enterprise Partnership: A body, designated by the Secretary of State for Housing, Communities and Local Government, established for the purpose of creating or improving the conditions for economic growth in an area.

Local Housing Need: the number of homes identified as being needed through the application of the standard method set out in national planning guidance (or, in the context of preparing strategic policies only, this may be calculated using a justified alternative approach as provided for in paragraph 60 of the NPPF).

Local Strategic Partnership (LSP): An overall partnership of public, private, community and voluntary organisations within a local authority area, with the objective of improving people's quality of life. The County Durham Partnership is the LSP for County Durham and it is responsible for the production of the Sustainable Community Strategy (as referred to below).

Low Level Radioactive: Low Level Radioactive waste produced by activities such as clinical and laboratory testing.

Main town centre uses: Retail development (including warehouse clubs and factory outlet centres); leisure, entertainment and more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, nightclubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls); offices; and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities).

Major development: For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m² or more, or a site of one hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015. For the purposes of development within the North Pennines Area of Outstanding Natural Beauty and the County Durham Heritage Coast, whether a proposal is 'major development' is a matter for the decision maker, taking into account its nature, scale and setting, and whether it could have a significant adverse impact on the purposes for which the area has been designated or defined.

Major hazard sites, installations and pipelines: Sites and infrastructure, including licensed explosive sites and nuclear installations, around which Health and Safety Executive (and Office for Nuclear Regeneration) consultation distances to mitigate the consequences to public safety of major accidents may apply.

Material consideration: A material consideration is a matter which the decision maker must take into account when assessing a planning application.

Mineral resource: A potential mineral deposit where the quality and quantity of material present has not been tested.

Minerals resources of local and national importance: Minerals which are necessary to meet society's needs, including aggregates, brickclay (especially fireclay), silica sand (including high grade silica sands), cement raw materials, fluorspar, shallow and deep-mined coal, oil and gas (including conventional and unconventional hydrocarbons) and local minerals of importance to heritage assets and local distinctiveness.

Mineral Safeguarding Area: An area designated by a minerals planning authorities which covers known deposits of minerals which are desired to be kept safeguarded from unnecessary sterilisation by non-mineral development.

Municipal waste: Waste from households as well as other waste which, because of its nature or composition, is similar to waste from households. This includes a significant amount of waste that is generated by businesses and not handled by local authorities.

Natural Capital: This term is a way of defining the wide range of benefits that we derive from nature, either directly or indirectly bringing value to people and the country at large. They do this in many ways but chiefly by providing us with food, clean air and water, wildlife, energy, wood, recreation and protection from hazards.

Natural England: Government advisors on nature conservation, biodiversity and landscape in England.

Neighbourhood plans: A plan prepared by a parish council or a neighbourhood forum for a designated neighbourhood area. In law this is described as a neighbourhood development plan in the Planning and Compulsory Purchase Act 2004.

Non-Designated Heritage Assets: Buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets.

Non-hazardous waste: Consists of Municipal Waste (formerly MSW) and Commercial and Industrial (C&I) waste. 'Municipal waste' traditionally meant waste managed by a local authority. The Landfill Directive defines municipal waste as waste from households as well as other waste which, because of its nature or composition, is similar to waste from households. This includes a significant amount of waste that is generated by businesses and not handled by local authorities.

Non-strategic minerals and waste sites: These are sites which could be allocated in the Minerals and Waste Policies and Allocations Document. They are not fundamental to the delivery of the strategy of the Plan for either minerals or waste. For example, all surface mined coal sites and natural building and roofing stone sites would not be considered fundamental to the delivery of the strategy of the Plan for minerals or waste.

Non-strategic policies: Policies contained in a neighbourhood plan, or those policies in a local plan that are not strategic policies.

Objectively Assessed Need: An assessment of the future amount of housing and other uses needed.

Older people: People over or approaching retirement age, including the active, newly-retired through to the very frail elderly, and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs.

Open space: All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

Out of centre: A location which is not in or on the edge of a centre but not necessarily outside the urban area.

Outstanding universal value: Cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations. An individual Statement of Outstanding Universal Value is agreed and adopted by the UNESCO World Heritage Committee for each World Heritage Site.

Permitted reserves: Mineral deposits with the benefit of planning permission for extraction.

Permission in principle: A form of planning consent which establishes that a site is suitable for a specified amount of housing-led development in principle. Following a grant of permission in principle, the site must receive a grant of technical details consent before development can proceed.

Planning condition: A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

Planning obligation: A legal obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

Planning Practice Guidance (PPG): The government's guidance on planning issues.

Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Primary shopping area: Defined area where retail development is concentrated.

Recovery: Value can be recovered from waste by recovering materials through recycling, composting or recovery of energy.

Registered providers: Social rented housing is owned by registered providers.

Renewable and low carbon energy: Includes energy for heating and cooling as well as generating electricity. Renewable energy covers those energy flows that occur naturally and repeatedly in the environment – from the wind, the fall of water, the movement of the oceans, from the sun and also from biomass and deep geothermal heat. Low carbon technologies are those that can help reduce emissions (compared to conventional use of fossil fuels).

Residual waste: Waste remaining after materials for re-use, recycling and composting have been removed.

Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.

Safeguarded Aerodrome: Certain civil aerodromes, selected on the basis of their importance to the national air transport system, are officially safeguarded, in order to ensure that their operation and development are not inhibited by buildings, structures, erections or works which infringe protected surfaces, obscure runway approach lights or have the potential to impair the performance of aerodrome navigation aids, radio aids or telecommunication systems; by lighting which has the potential to distract pilots; or by developments which have the potential to increase the number of birds or the bird hazard risk.

Seascape: Landscapes with views of the coast or sea, and the adjacent marine environment with cultural, historical and archaeological links with each other.

Self-build and custom-build housing: Housing built by an individual, a group of individuals, or people working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing. A legal definition, for the purpose of applying the Self-build and Custom Housebuilding Act 2015 (as amended), is contained in section 1(A1) and (A2) of that Act.

Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

Solar shading: A system to control the amount of heat and light from the sun entering a building. Also known as Brise Soleil, these normally consist of horizontal or vertical strips of material, or 'fins', which protect a building from the heating affects of the sun.

Statutory undertakers / Statutory utilities: Providers of essential services such as gas, electricity, water or telecommunications.

Strategic Environmental Assessment (SEA): A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

Strategic mineral and waste sites: These are sites which are allocated in the Local Plan by virtue that they are fundamental to the delivery of the strategy of the Plan for minerals and waste. Such sites would make a major contribution to meeting the established need for a particular mineral or for the treatment of a particular waste stream, for example by providing a 25 year stock or more of permitted reserves of brick making raw materials for a particular brick works.

Supplementary Planning Documents: Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

Sustainable transport modes: Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra low emission vehicles, car sharing and public transport.

Sustainability Appraisal (including Environmental Appraisal): The process of weighing and assessing all the policies in a development plan document for its global, national and local implications. (See also Strategic Environmental Assessment).

Town centre: Area defined on the local authority's policies map, including the primary shopping area and areas predominantly occupied by main town centre uses within or adjacent to the primary shopping area. References to town centres or centres apply to city centres, town centres, district centres and local centres but exclude small parades of shops of purely neighbourhood significance. Unless they are identified as centres in the development plan, existing out-of-centre developments, comprising or including main town centre uses, do not constitute town centres.

Transport assessment: A comprehensive and systematic process that sets out transport issues relating to a proposed development. It identifies measures required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and measures that will be needed deal to with the anticipated transport impacts of the development.

Travel plan: A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives and is regularly reviewed.

Viability: Financial viability is a test of the ability of a development to meet its costs including the cost of planning obligations, while ensuring an appropriate Site Value for the landowner and a market risk adjusted return to the developer in delivering that project.

Waste audit: This is an audit which would be useful to prepare for proposals that are likely to generate significant volumes of waste through their development or operational phases. The audit should demonstrate that waste will be minimised as far as possible and that the waste generated will be managed in an appropriate manner in accordance with the waste hierarchy. Whether a proposal will generate significant volumes of waste is dependent on the nature and scale of the proposed development.

Waste hierarchy: A framework for securing a sustainable approach to waste management. Wherever possible, waste should be minimised. If waste cannot be avoided, then it should be: re-used; recycled or composting; or converted to energy; and finally landfill disposal.

Windfall sites: Sites not specifically identified in the development plan.

World Heritage Site: A cultural or natural site of outstanding universal value which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations, as determined by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).