

Great Aycliffe Neighbourhood Plan - Reg.16 Consultation Responses

Summary of representations received by Durham County Council as part of Regulation 16 Submission Draft publication and submitted to the independent examiner pursuant to paragraph 9 of Schedule 4B to the 1990 Act

The formal six week publicity stage for submitting representations covered the period Wednesday 27 July to Friday 9 September 2016.

Durham County Council REG. 16 Comments

Introduction

Durham County Council ('the Council') has considered its role in the Submission stage consultation process carefully and has concluded that it is appropriate to comment on the content of the Submission Plan. The Council made representations at the Pre-Submission stage (Regulation 14) and has worked closely to support the Town Council through each stage of the preparation process. At this stage there remain only a handful of issues upon which the Council considers it needs to make comment. As such, the majority of the following comments are aimed at some minor wording corrections to fit better with statute and national policy language, to better reflect current procedures referred to and the content of the available evidence base, rather than altering the purpose of the policies.

General observations

The Town Council has put a great deal of effort into the preparation of the Plan, including through consultation, and this has resulted in a comprehensive document, with comprehensive supporting documentation that sets out how they have sought to meet the Basic Conditions. The Plan includes policies that address the particular character of the plan area and more detailed policies that reflect those relevant ones in the current development plan (the Sedgefield Borough Local Plan of 1996).

Further, the Plan has been prepared in a changing context when the County Council has had to withdraw its formerly emerging Local Plan and begin work on a new Local Plan. At this time the County Council has just completed its Issues & Options Consultation on that new local plan and this Neighbourhood Plan has been prepared in a way that it does not seek to address strategic matters that would potentially make it out of date at the point when the Local Plan is developed.

As such, the Council consider that the Plan is worthy of support, subject to the detailed matters listed in **Appendix 1 and 2 below**.

APPENDIX 1

ENVIRONMENT

Policy GANP CH2 – Protection of Accessible Local Green Space Designations

In regards to the specific site of 'N' Cobblers Hall – the southern half of this site is shown as proposed Local Green Space. It is Durham County Council (DCC) owned and may have potential for development in the future so DCC object to the inclusion of about half of the site as Local Green Space. Should any development be brought forward on the site in the future it would have to conform to the requirements of Policy GANP CH1 'Landscape Character and Townscape', so there would be a requirement for appropriate green open space to maintain the Beveridge vision.

Policy GANP CH2 – Protection of Accessible Local Green Space Designations & Policy GANP CH3 – Existing Amenity Open Spaces & Recreational Areas

Durham County Council Assets as landowners consider that the sites to be allocated as Local Green Spaces (as shown on the plan at Appendix D) are afforded the necessary protection by existing planning policy and that the Neighbourhood Plan would be afford the necessary protection in the future through proposed policy GANP CH3 rather than allocated as Local Green Space. Please refer to excel spreadsheet attached as APPENDIX 2 (Further information to follow).

Policy GANP CH4 - Protecting Heritage Assets

In the policy the reference '*conserve*' in line two should be replaced with '*preserve*' to reflect national policy.

In the second paragraph in line six of the policy DCC would suggest '*affecting*' their settings would be more appropriate rather than '*interfering*' with the settings.

Policy GANP E1 - Green Corridors

Policy E1 refers to '*Green Corridors*' however the legend on the map contained in Appendix D refers to '*Wildlife Corridors*' which results in an inconsistency. This could be addressed by amending the legend so that the word '*Wildlife*' is replaced with '*Green*'. Also, the justification should make clear reference to Appendix D.

Policy GANP E3 - Conservation Area of Aycliffe Village

To be consistent with language used in statute and national policy line two of the policy should refer to '*preserves and enhances*' not '*sustains and enhances*'. Also, in the interests of procedural accuracy the policy should refer to the need for '*heritage statements*' rather than '*design statements*' which are now only required for major developments and / or proposals in conservation areas. Heritage statements are compulsory for Listed Building and Conservation Area applications.

HOUSING

Policy GANP H1- In-Fill Development and Small Sites

DCC suggest that for the policy to be more effective and in the interest of clarity that the opening sentence of the policy should be amended to incorporate criteria 2 as follows:

‘Permission will be granted **within the built up area** for suitable in-fill developments and small sites of less than 30 houses where:-

Policy GANP H2 - Dwellings Appropriate to the Needs of Residents

The policy requires that 25% of houses on any housing scheme of four or more dwellings should be to the Building for Life 12 standard and meet the Code for Sustainable Homes. However, the County Council wishes to point out that this approach does not recognise the fact that new optional standards aimed at achieving accessible and adaptable homes and applied through Building Regulations have since been enacted and the Code for Sustainable Homes withdrawn.

Whilst the County Council considers it is reasonable to retain a policy which covers this important planning issue it is considered that the policy should be amended so that it reflects the up to date position on this matter. This can be achieved by making reference to the Building for Life 12 Standards and requiring these to be relevant to whole schemes rather than on a proportion of units as currently specified in the policy.

The supporting Justification would also need to be amended to reflect the above position.

Policy GANP H4 - Parking Mitigation

The adopted county highway and parking design guide already specifies sizes of 2.6m wide x 5.5m for a single garage and 4.6m wide x 5.5m for a double garage and are based on a standard vehicle dimensions. These are generally accepted by the development industry. There is scope that the larger 6m x 3m size specified in this policy may in some instances affect site yields and viability.

It is appreciated that many garages are used for storage rather than parking, which is why the County Council revised its parking standards to specify a minimum in curtilage and does not treat a garage as a parking area when undertaking the calculation. The County Council maintains that increasing the size of the garage will make no difference to their end use.

With regard to the justification the County Council is having difficulty in understanding hard the link between a larger garage and traffic flow.

Policy GANP H6 - Securing Energy Efficient Homes

The policy should be amended to reflect the fact that the Code for Sustainable Homes has been withdrawn and that Building Regulations now incorporate the requisite energy efficiency standards that must be met as highlighted previously.

Also, in the interests of reflecting procedural accuracy the County Council wishes to highlight the fact that Design and Access Statements are now only required for major developments and/ or developments in Conservation Areas.

Policy GANP H7 - Bungalow Provision

In the interests of future proofing this policy the County Council considers that it may be prudent to amend the Justification by removing the date reference. The text would therefore read:

'The current County Durham Strategic Housing Market Assessment (SHMA) report ~~was updated in 2016 and~~ supplies the evidence base for housing needs.'

Policy GANP AV1 - Enhanced Bungalow Provision, Land Adjacent Woodham Community College

Whilst understanding the aspiration of the Town Council, the County Council considers that evidence in the County Durham Issues and Options Stage Strategic Housing Market Assessment (Part 1) 2016 tends to support a 10% requirement rather than 20%. This lower proportion across sites is considered to be a more reasonable balance between risk and need in this untested market and the County Council considers that the policy as well as the Justification should be amended to reflect this.

Policy GANP DB1 - Large Scale Development Requirements

The County Council wishes to make the following comments regarding this policy:

Policy Criteria 3:

As referred to in the response to Policy H4 DCC adopted highway and parking design guide specifies garage sizes. The County Council reiterates the point made in Policy GANP H4 - Parking Mitigation in respect to this matter.

Policy Criteria 4:

This criteria states *that "...and suitable provision for bicycle parking or storage, must also be made. (Policy GANP H5)"* it is suggested that for consistency with Policy GANP H5 *'must'* should be replaced with *'encouraged'*.

Policy Criteria 5:

The County Council considers that this criteria exceeds the requirements of the DCC adopted Parking and Accessibility Standards as contained the adopted County Durham Parking and Accessibility Standards 2014.

PARKING AND TRAFFIC

Policy GANP T2 - Design Finish for Off-Street Parking in Visually Sensitive Areas

Whilst appreciating the intention of this policy, the County Council considers that this could give rise to significant maintenance issues so may be difficult to deliver.

COMMUNITY INFRASTRUCTURE LEVY (CIL)

In respect to the third paragraph of this policy commencing 'The aim of having CIL / Section...' seeks consultation on pre-applications the County Council wishes to highlight that at present it treats pre-applications in confidence and there are no plans to change this stance. Therefore, the text should be amended in the interests of procedural accuracy.

It is also noted that that this paragraph also makes reference to '*local priorities*'. The County Council considers that the text should be amended so that it cross-references with the four priorities contained in Policy GANP CIL 1 Developer Contributions in the interests of clarity.

APPENDIX 2

Comments by Durham County Council as Landowner in Relation to each of the proposed Local Green Spaces was as follows:

'Existing Planning Policy affords the necessary protection'.