

The Nevilles Cross Community Association Planning Sub-group has reviewed the NPF Plan and reports as follows:

1. Overview

The group welcome the Plan which represents for the first time an initial holistic vision for Durham City and those policies intended to deliver that vision. It does so from the perspective of those who live and work here. In this spirit the group supports the Plan and most of its policy recommendations but also raises a number of general comments **(A)** and a number relating to specific themes **(B)** that reflect our views and concerns which may – or may not - add to the revision of the Plan without detracting from its overall focus.

In terms of our general views and concerns about the whole approach taken in the Plan, we recognise that the Plan is a planning document. As such it is intended to provide a framework for inputting into planning and other decisions to achieve the Plan's vision for Durham City. On the other hand, and of fundamental importance, we consider the Plan's vision for Durham as very much a holistic aspirational narrative that envisages how we would all like the City to be, particularly from the perspective of residents.

We feel, however, what we wish for, and what is realistically achievable, is in many areas being influenced by a number of other agendas that could inhibit such a vision unless the primacy of the Plan and its policy recommendations is emphasised. We feel therefore the Plan should from the outset identify, mitigate or overcome any constraints that these agendas pose – and this needs to be addressed directly, and in some detail. Without this approach we are concerned that other decisions and agendas could continue to undermine the basis for and intentions of the Plan, a set of current circumstances that is already largely unsatisfactory from a residential point of view. We now feel that there is a unique opportunity to address these issues in the Plan which should from the outset propose explicit means to mitigate or remove identifiable inhibitors to deliver the vision. We discuss these concerns below.

A. GENERAL CONCERNS

2. Chapter 2 – Challenges

Our main issue relates to the roles and intentions of the County Council (DCC) and the University. We feel that the Plan does not root itself firmly in the realities of the City as it currently stands, including the past and current agendas of both organisations. We would welcome a separate chapter/theme

that specifically identifies how the approaches of both have led to the current situation in the City. It also considers that these and other approaches should also be usefully mapped against the NPPF to show, for example, those constraints or inhibitors to delivering the Framework in practice for the City. This should allow the Plan to adopt a clear and strategic viewpoint on what needs to be done to address the main facilitators/inhibitors to delivering its vision. This is fundamental to the delivery of the Plan in our view.

At the centre of this lie two questions concerning the future of the City. First, how does DCC envisage Durham - a tourist destination, an entrepreneurial hub, a city that puts residents at the centre, or an expanding campus City? This is never explicit in the draft and is critical to its progress. While it may be that the future of the City may combine components of each, the primary focus will influence the acceptability, relevance and prioritisation of the recommended policies of the Plan. Second, there is a conspicuous absence of a full assessment of the University's ambitions and master plan which, it may be argued, is the single defining issue that could enhance the City's development as an entrepreneurial hub or, more likely and by default, turn Durham into a campus city. If the latter, in terms of its impact on housing, retail, cultural, infrastructural and other aspects, then the achievement of many of the Plan's ambitions for Durham could be diluted or inhibited.

Both are current realities which need to be recognised if the Plan is to become the basis of a strategic, realisable and prioritised approach. As examples, proposals for a museum and art galleries in Durham have to take into account DCC's financial priorities which prompted earlier closure of the DLI museum and the move of the tourist office to Peterlee which may be seen as evidence that the DCC does not see Durham as a tourist or cultural destination. By extension what evidence is put forward that it would be likely to support delivery of enhancing features it has already voted against?

Second, the University's proposed increase in numbers is – and will – have significant impact on the physical, infrastructural and facilities appearance and shape of the City. The knock-on effect on the availability of residential accommodation will decrease the demonstration of demand for recreational, retail, cultural restaurant and other facilities that residents would reasonably demand and welcome. This could also adversely impact on the appearance of the City as well as those facilities attractive to tourists. Once that quantum is reached, no amount of intent will lead to delivery of a number of the Plan's recommendations. In our view this would be contrary to the explicit aim of the NPPF as generally outlined in para 14 and given additional detailed weight in para 17; this should be addressed in the Plan's chapters and themes.

Thus we would argue that this section does not reflect the current fundamental or structural changes to the City which are likely to have a significant impact on the delivery of the Plan's vision. We would welcome a separate chapter or theme that spells out and reviews explicitly where we are in terms of current retail, accommodation, cultural, recreational and other provision, why we are where we are (especially in terms of DCC and University approaches), and what needs to be done to facilitate the

Plan. We consider that the Plan must influence, rather than be influenced by, those approaches so that its vision can be protected against dilution by others' agendas.

3. Chapter 3

The approach proposed in 2. would allow a much sharper focus on what needs to be done to achieve the stated vision. It is clear from the responses that the primary wishes for residents would be to see, under 3.5, the City both as a tourist and cultural destination and a residents' city. This can only be achieved through, under 3.6, policies that promote the City as such and, crucially, safeguard its residential base that would provide the quantum to justify the need for or demand for a number of the themes' objectives.

This is described widely in the NPPF at paras 69-78 in its pursuit of Promoting Healthy Communities. As suggested above, this could usefully be used as a framework for a chapter or theme that discusses the impact to date of various approaches and agendas that have mitigated against delivering the NPPF and what should be done to align the Plan with the objectives of the NPPF. In particular it is essential that the Plan and DCC and the University address the question of the expansion of University numbers, or at least managed expansion of numbers, to facilitate the Plan's objectives and action plans that deliver the vision. This is discussed in detail in the next section.

4. Theme 4: A City with Attractive and Affordable Places to Live

This theme focusses us on our main area of concern and one we believe may influence a number of other themes in the Plan. Unless residents comprise the majority or quantum of the City occupancy, then the need for or demand for recreational, retail and other facilities will be driven by the dominant population (assuming, as noted above, the DCC continues not to prioritise the City as a substantive tourist destination). As has been pointed out to the DCC and the University on more than one occasion, the latter's plan is for a net increase in 5-7000 students within the next decade. Despite its own plans for a 50% occupancy of existing and planned colleges, there is likely to be a net expectation of over 2-3000 students seeking private sector accommodation in coming years.

Despite the numbers of PBSAs, which are more likely to be more attractive to the overseas market, this additional demand could translate into a significant number of residential homes being used as student rentals – possibly over 500 houses, as well as pressure to expand occupancy levels for existing HMOs (as well as the rise in illegal HMOs). Not only does this decimate the availability of entry-level or affordable housing but it continues the expansion of student accommodation into what the Plan describes as 'predominantly residential' areas. Views from, for example, Sheraton Park suggest a potential for the studentification of such areas, and a departure of residential populations,

once there is perceived influx of student occupancy. Similar concerns can be seen on Nevilles Cross Bank.

Any consequential decline in residential occupancy will affect Theme 3 and 6, etc., and the proposals under D1 would never offset the loss to student occupancy. The focus must be on minimising additional student occupancy and ring-fencing 'predominantly residential' areas to protect existing residential stock. This suggests an unequivocal policy prohibiting PBSAs and further HMOs conversions or extensions and a commitment to prosecuting illegal HMOs. At the same time the University must be persuaded of a suitable pricing and residential policy to maximise use of existing and new colleges so that the University absorbs any net increase of student numbers in terms of retained college occupancy.

We would propose D2 and D3 amended as follows:

Existing: will not be permitted if more than 10% of the total number of properties within 100 metres of the application site are already in use as HMOs or student accommodation exempt from council tax charges or the student population exceeds 20% of the total population in that area

Proposed: will not be permitted if more than 5% of the total number of existing properties within 250 metres of the application site are already in use as HMOs, or PBSAs, or any other student accommodation exempt from council tax charges or where the existing student population exceeds 10% of the total population in an area of 1000 meters circumference of the application site.

For D3.1 we would also propose:

Existing: it would not result in a significant negative impact on retail, employment, leisure, tourism or housing use, or would support the Council's regeneration objectives

Proposed: it would not result in a negative impact on retail, employment, leisure, tourism or housing use, or the existing residential amenity, or would support the Council's regeneration objectives

We would support D4, D5 and D6. In respect of 4.148, where recommendations D1.8 and D1.11 have been made without local consultation, we would propose their removal unless suitable wording could be added that ensured any proposed development was for D4.1 or affordable residential housing schemes. We are well aware, as has been raised in relation to the planning application for The Avenue, D1.7, the DCC is unable or unwilling to add conditions on types of occupancy. We would

rather such recommendations were removed unless there was certainty that such accommodation did not become student accommodation by default.

B. SPECIFIC ISSUES

5. Theme 1: A City with a Sustainable Future

We agree with Policies S1 and S2 as general statements of intent but our agreement is only partial in that we consider that the Plan should be more direct about what type of City the Plan wants. From the Plan the inference is for a City whose primary focus is as a tourist destination and residents' city, which we support. We believe that both an unrealistic ambition for an entrepreneurial hub which is not supported by empirical evidence and a rapidly-emerging likelihood of a campus city by default. In relation to the latter, the failure to establish an overall strategic focus for the City has also led, either explicitly or implicitly, to the vacuum being filled by the University whose unrelenting ambitions is likely to lead to demands for changes that could affect the City's infrastructure, facilities and services at the expense of residents and tourism.

6. Theme 2a: A Beautiful and Historic City: Heritage

While we agree with policies H1-H5 we feel that they do not stress enough to maintain the unique nature of the World Heritage site and the Conservation Area as the core to the City for tourists and residents. The fact that the medieval marketplace is host to a number of inappropriate retail uses and that student accommodation is being allowed in historic buildings, unsympathetically designed buildings are being erected and that the Bailey is effectively a dead zone during tourist times is testament to the absence of a meta-policy on what type of City Durham should be and for whom.

In relation to Character areas, and neighbourhoods that fall within the Conservation Area, the Nevilles Cross area is a good example of an area that could be described as 'predominantly residential with some green areas of scenic amenity and value'. Within 2 years that predominance will be turned on its head and some 2-3000 student bed spaces become available from the Cock of the North to the A167/railbridge. We believe that this illustrates the need for a review of the policies under this section to state clearly and unequivocally what must be done to mitigate this and what should be done to protect this and other areas as 'predominantly residential'. In other words, and building on earlier reviews of areas/wards, we would welcome an overview of the main features of each character area as the baseline for the overall preservation of each area, or parts of it, so that the main features are not eroded on a piecemeal basis through individual planning and other decisions/agendas.

7. Theme 2b: A Beautiful and Historic City – Green Infrastructure

We agree with policy recommendations G1-G4 subject to the following:

G1.2: we agree the definitions of green assets and welcome that, under G1.2, a range of as-yet unidentified green space be identified and included (eg Cross Valley Court and the rail embankment, land at St Cuths Hospice);

G1.4 rights of way: we would go further and argue that existing rights of way – which have been mapped in the NX area – should in themselves be protected whether or not they are subject to development proposals. We also propose that rights of way should also be protected from ‘enhancement’, such as low-level lighting or gravelling for cycle use, so that they retain their traditional features. As noted below, and given the topography of the City, these ways are as important as cycle routes and should be given equal prominence;

G3: G2.1.2 should be included in Policy G3.

8. Theme 3: A City with a Diverse and Resilient Economy

We have reservations about Policy E1: Larger Employment Sites and suspect that the entrepreneurial hub proposed for Aykley Heads is not sufficiently evidenced. We would not oppose the policy but we wish the Plan to ensure that the hub precedes any proposal for executive housing. There is likely to be sufficient housing in Durham, and especially at Mount Oswald, to supplement the hub but we would be reluctant to support the use of the site for housing alone.

We support E2 and E4 but our support for E3: Retail Development is conditional on DCC and private sector landlords working toward a balanced retail profile, including affordable rents for SME and local businesses (we note the current rent discussions relating to Fowlers Yard which currently is the few locations which do not carry the “High Street anywhere” description so apt for much of the city centre). Such an approach must be based on a strategy that identifies whom the retail space is intended to attract and why. The Plan should be explicit in proposing the City as a venue for small and/or independent shops that has been achieved in other small cities and adds to the tourist and resident experience.

9. Theme 5: A City with a Modern and Sustainable Transport Infrastructure

We propose that the objectives of this theme – 4.172 – include reference to the managed control of car parking in the City. We are aware of the balloon effect of the CPZ with non-CPZ areas used as free car parks by workers, train users, etc. We are also aware of the numbers of student cars in the City.

We support T1 and T2. We propose that the following policy recommendations be tightened as follows:

T3: We would welcome an extension of the CPZ to all areas within the Conservation Area, whereby specific streets must opt-out by a simple majority from the scheme. Conversely streets within the Conservation Area should have the right to move from a permit/ticket scheme to a permit-only scheme by a simple majority.

We propose that there should be greater encouragement of DCC and other car parks in the City and consideration given to one or two additional Park-and-Ride schemes (on, for example, the A690 at Langley Moor);

We would welcome more circular bus routes, subsidised by the University, to ease pedestrian traffic into the City (particularly from the colleges along the A167).

We are aware that current student accommodation developments must either provide their own parking or are not granted parking permit rights but it is clear that many student-occupied houses have access to permits through landlords. We would ask that DCC begins to exercise due diligence over eligibility, matching CT exemptions against permit issuing.

We have concerns about the imbalance in information on walking routes outside paved pedestrian routes and cycle routes. Much of the Conservation Area is criss-crossed by traditional walking routes and we would welcome a clear policy on the maintained use of such routes without ‘enhancement’ and mapped along the lines of map 12. We note that map 12 in any case appears to address an area greater than encompassed by the Plan and in a number of instances seems to contradict pedestrian and safety concerns that have been regularly raised at for example, CCP meetings, in relation to cycling through City centre streets. We consider that the prominence given to cycling is too great and unconditional, and should be redrafted alongside an equivalent policy on walkways. We do not agree with T4.1 relating to secure cycle parking spaces which we consider disproportionate in cost and requirements on householders to the level of cycle use within the Conservation Area and excluding student use.

10. Theme 6: A City with an Enriched Community Life

We acknowledge the good intentions behind this theme but must emphasise, as we have done earlier, that the Plan is asking for facilities previously taken from the City by the DCC and unlikely to be returned to the City in the foreseeable future. While we see this as a consequence of the failure by the DCC to address the City as a tourist destination or for residents use; declining numbers of the latter will also remove any justification for their re-instatement. Further we also note the use of many of the existing council and other facilities by the increasing student population alongside residents. We note in a recent University planning application for Maiden Castle sports facility that approval of the application would benefit the University and the wider community (DM/17/02697/FPA; para 109) and we would hope that this would mean a much greater reciprocal use of such facilities.

We support C4-6 although we feel that it is important to note that health and related provision should not be used to subsidise, for example, what should more properly fall within the responsibility of the University. Under C6 we would wish for a specific discussion and policy recommendation on policing and security, particularly in relation to the policing of student conduct in private accommodation. This has been raised with the University and we feel that residents, who pay council tax which includes a policing precept, bear a disproportionate cost for policing such conduct. It could be argued that the very limited police presence in the City should not be disproportionately applied to a problem that should be either more effectively managed by the University or where the University makes a proportionate financial contribution to the cost of policing such conduct. Finally we recognise, as with the development of a community facility at Merryoaks for the community associations and residents in the CCP, NXCA and Merryoaks areas, that C3 is a sensible policy but one that requires collaboration with the University and the DCC, just as C1 and C2 require the involvement of the DCC.

Overall, we feel that this theme should reflect a much more joined up, reciprocal and shared approach. We consider that the Plan should explicitly acknowledge the contribution other organisations should be making and to provide substantive provision that reflects how their rhetoric on community engagement and partnership is to be delivered in practice.
