

Dear Sir

I am writing regarding the County Durham Plan Pre-Submission Draft Consultation currently being undertaken by Durham County Council in my capacity as Chair of the prospective Durham City Neighbourhood Planning Forum. The Durham City Neighbourhood Planning Forum is currently at the public consultation stage, and seeks to be formally constituted in January 2014. The Forum is comprised of residents, locally elected representatives and business representatives. The membership currently stands at 26, and further members are being sought from different sectors of the community within Durham, including landlord representation. As part of the process of formal constitution, it is incumbent upon any prospective Neighbourhood Planning Forum to define an area within which a Neighbourhood Plan will be effective. The prospective Durham City Neighbourhood Planning Forum therefore, has limited its responses to issues that are particularly pertinent to the Neighbourhood Area identified as part of the public consultation on the formation of the Forum.

Durham City is a unique and special place. It is one of the most historic cities in England, with internationally significant standing due to the cathedral, university and UNESCO World Heritage Site. This designation recognises the value of Durham City's rich architectural heritage and historical importance for not only the North East, but the country as a whole. There is evidence that Durham City has been the site of settlements since 2000BC, and the rich history of the city and people of Durham is an integral part of the character and nature of this area. The prospective Neighbourhood Planning Forum understands the need for development to maintain the vitality of Durham City as an attractive place to work, live and visit, and broadly welcomes the introduction of the Durham County Plan. However, it is important that any development protects and enhances the special nature of Durham City. Indeed, as the UNESCO considerations of Durham state "The siting of the Castle and Cathedral in relation to the surrounding city has been sustained as has its setting above the wooded Wear Valley, both of which allow an understanding of its medieval form...There is nevertheless a need to ensure protection of the immediate and wider setting of the Property.."

In line with the National Planning Policy Framework, any Local Plan has to be considered to be positively prepared; justified; effective and consistent with national policy. While broadly welcoming the introduction of a County Plan for Durham, it is the opinion of the prospective Durham City Neighbourhood Planning Forum that there are policies contained within the Plan that could be considered to have a lack of justification for their inclusion, or that the application of some policies contained within the Plan will not be effective. There are also clear strategic issues with the Durham County Plan in relation to Durham City. Indeed, there is little contained within the County Plan to show that a clear and considered diversification strategy has been formulated for Durham. Whilst the County Plan focuses on some undoubtedly key issues, the future vitality of Durham rests with development that not only addresses the retail, housing and employment needs of the area, but one which also considers the history, culture and leisure facilities of the area.

It is of great concern to the prospective Neighbourhood Planning Forum that the intended development on the Mount Oswald site seems to be in direct contravention of many of the policies listed within the County Durham Plan. This site does not comply with the stated policies within the Durham County plan that seek to protect green infrastructure and local land with recreational value (Policy 20). Further to this, there is a lack of strategic planning for transport infrastructure around this site (Policy 48c; Policy 49). The Forum is particularly concerned about this development as this not only contravenes policies contained within the Durham County Plan, but was also in contravention of several saved policies from the previously adopted local plan. Following the approval for development on this site, a further site has been allocated for housing development in

Browney which, due to its location, will also impact on the transport infrastructure around the Mount Oswald site. This development also seems to be in contravention of the Health Impact Assessment detailed in paragraph 1.45, which states “The County Durham 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, improving access to key services and amenities, and creating spaces for social interaction...”

Furthermore, development on this site would seem to be in contravention of Policy 39 – Landscape Character, which states:

Proposals for new development will only be permitted where they would not cause significant harm to the character, quality or distinctiveness of the landscape, or to important features or views, unless the benefits of the development clearly outweigh its impacts.

Development proposals should have regard to the objectives of the County Durham Landscape Strategy and contribute, where possible, to the conservation or enhancement of the local landscape and the work of local landscape partnerships.

This development is also in contravention of the National Planning Policy Framework (NPPF). The NPPF details the requirement of planning authorities to promote healthy communities (Policy 8). This policy states that that planning authorities need to “deliver the social, recreational and cultural facilities and services the community needs...”

It is the opinion of the prospective Durham City Neighbourhood Planning Forum that there is a lack of clarity in the Local Plan around the transport infrastructure of Durham City. The Plan clearly determines the need for commercial development, housing allocations and retail space in Durham City (Policy 4 Distribution of development; Policy 7 Aykley Heads; Policy 8 – Durham City Strategic Housing Sites), but goes on to state that Millburngate Junction is currently operating at 125% of capacity. The Plan also states that the preferred method of access to Durham is by car, with 9,500 passengers entering the City via buses between 7am and 7pm, compared to 49,000 highway trips. (Policy 8 Paragraph 4.125). Although the Plan contains policies that propose a sustainable transport system, given the amount of development that is current underway, and proposed in Durham City, these policies will not be sufficient to mitigate the impacts on current road infrastructure, as car journeys will still be the preferred method of transport for many of those accessing Durham City. The criteria laid down for monitoring Policy 49, The Provision of Transport Infrastructure, also seem to be insufficient to deal with the further impact on existing road infrastructure.

It is also concerning that there is a lack of strategy to accommodate further student development within the Local Plan. The Plan acknowledges that it is the stated aim of the University to increase the student population from 15300 to 17100 by 2020; and increase the number of students living in purpose built student housing from 43% to 50% (Policy 32; paragraph 7.40). While the Durham City Neighbourhood Planning Forum welcomes the move to increase purpose built student accommodation, there is little strategic direction on the location of any future development, and this target of 50% is much lower than in other collegiate universities. It is hoped that the move to purpose built student housing will ease the pressure on housing stock within the city, allowing more accommodation to become available to other sectors of the community, but there is little detail in the plan about how this will be achieved other than a limit on future development of HMOs. Also, there is no mention of an Article 4 Direction contained within the County Plan. Therefore there is no detail of how a limitation on the numbers of HMOs would be achieved. It is concerning that this lack of detail in the Plan about the preferred location of student facilities, will lead to an ad hoc approach by developers and planners, and will allow little long term thinking by Durham University and

Durham County Council as to the most suitable sites for student developments. Also, there is no detail contained within the plan about how areas of the city that currently have an imbalance between transient, student residents and permanent residents will achieve greater balance in the future. Nor is there any clarity on how the Durham County Plan will prevent other areas of the city becoming out of balance in the future.

Furthermore, it is concerning that there is little contained within the Local Plan for a diverse range of development within Durham City. Policy 25 identifies North Road and Claypath in Durham City as areas for retail regeneration, but there is little to suggest Durham County Council have considered a full diversification strategy for the development of the City Centre. North Road is identified as a site for redevelopment, with “quantitative and qualitative retail improvements” that will improve the retail offer in this area of Durham, and Claypath is highlighted as a site suitable for “retail, and other uses appropriate to the City Centre, including tourist attractions”. While such development is important to the viability of Durham City, there is no clarity on how North Road will be regenerated, and there are no firm proposals contained within the plan to improve leisure facilities in Durham. As previously mentioned the National Planning Policy Framework requires planning authorities to deliver the social, recreational and cultural facilities and services the community needs. There is no detail contained within the plan to show how these important aspects of development will be achieved. Rather, the plan contains aspirations that regeneration will take place, and offers no clarity around ‘other uses’ that may be appropriate. A considered diversification strategy for the City Centre is needed that encompasses not only the need for retail and housing development, but also cultural, historical and leisure requirements for a vibrant Durham.

The Forum also has concerns over the incursions into Green Belt land at the Durham Northern Quarter as suggested in Policy 30 – Housing Land Allocations. It is proposed within the Plan that a housing yield of 40 dwellings will be delivered from a site of 7.4 Ha. There are several Brownfield sites currently located around Durham City that the Neighbourhood Planning Forum feels are more appropriate for such development, and can be brought back into use without using important Green Belt Land. These include:

1. Former petrol station on A 167, between Neville Cross traffic lights and the railway bridge; this site has been vacant and neglected for at least 5 years and is poorly protected from vandalism.
2. Land at the western end of John Street; this site was formerly used for road repair stores.
3. Land between 24 and 25 the Avenue; this land has had planning permission for three houses for 5 years or more.
4. Three houses at the eastern end of Church Street; these were in the ownership of the University. They have been empty for upwards of 5 years.
5. The Whinney Hill former Durham Johnston School site.
6. The Old Swimming Baths on Elvet Waterside.
7. Kepier House on Kepier Terrace.
8. The Charles Church site at Ferens Close, The Sands.
9. Old Shire Hall

11. Empty commercial premises, Hopper House North Road, 17 Claypath, spaces above shops.
12. Milburngate House.
13. Aykley Heads Estate (outside Greenbelt).

Furthermore, this incursion into Green Belt land is in contravention of National Planning Policy Framework paragraph 79 which states “the essential characteristics of Green Belts are their openness and their permanence”; paragraph 82 “If proposing a new Green Belt, local planning authorities should...set out whether any major changes in circumstance have made the adoption of this exceptional measure necessary”. Given that there are undeveloped brownfield sites within Durham City, the inclusion of the Durham Northern Quarter does not meet the criteria of being an ‘exceptional measure’.

It is therefore the opinion of the prospective Durham City Neighbourhood Planning Forum that, while many aspects of the County Durham Plan are positively prepared, justified, effective and in line with national policy, the above aspects do not meet these criteria. Furthermore, the Forum would be grateful to be kept informed of future stages and key dates in the development of the County Plan and in particular the Forum would wish to be involved in the Examination in Public.

The Forum would be grateful if you could confirm receipt of this submission to the above address.

Yours faithfully

Muriel Sawbridge
Chair
Prospective Durham City Neighbourhood Planning Forum