

DURHAM CITY NEIGHBOURHOOD PLANNING FORUM



The Miners' Hall
Redhills
Durham DH1 4BD

E: npf@durhamcity.org.uk

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Mr Henry Jones
Development Management Team
Room 4/86-102 Planning
Department
County Hall
Durham City
DH1 5UL

Dear Mr Jones

Planning application DM/18/02369/FPA:

Erection of office headquarters with associated car parking (inclusive of a multi-storey car park) with associated landscaping, highway and infrastructure works and demolition of existing structures, The Sands car park and Durham Sixth Form Car Park Site, Freemans Place, Durham City DH1 1SQ

1. The Durham City Neighbourhood Planning Forum has prepared a Draft Neighbourhood Plan which has completed the Regulation 14 public consultations. The Forum's comments on this application are drawn from the public's clearly expressed priorities for Durham City in the consultations carried out for the Neighbourhood Plan. The principal considerations in determining planning applications in Durham City are, until the Neighbourhood Plan is approved, the National Planning Policy Framework (NPPF) and the Saved Policies of the City of Durham Local Plan 2004 consistent with the NPPF.
2. In that context, it is important to note that the planning application's Planning Statements says in paragraph 4.46 about the emerging County Durham Local Plan that "***it is not considered that weight should be afforded to these emerging policies when determining the application.***" Bizarrely, the planning statement then proceeds to assess and approve of the planning application under those very policies despite the fact that they should not be afforded weight.
3. The Neighbourhood Planning Forum and Draft Plan are particularly concerned with maintaining and enhancing the special qualities of the built and natural environment of Durham City and its roles as a strong centre for employment, learning, shopping, culture,

entertainment, tourism and governance. Accordingly, it is essential that all these inter-related roles are considered and safeguarded when the City is presented with a development proposal. In particular, the historic centre is totally unsuited to vehicular traffic, and the guiding principle quite rightly is to severely limit the penetration of cars, lorries and other vehicles. The Forum's comments on the application are based on these factors, as follows.

Traffic and parking

4. The proposal would generate significant additional vehicular traffic using the Leazes Bowl/Milburngate Bridge slip road and the Claypath/Providence Row T junction. Indeed, all vehicular traffic would have to leave the site by travelling up Providence Row and onto Claypath. This is absolutely contrary to the principles and practices that have applied in Durham City for decades. The Forum has examined the traffic documents accompanying the application and considers that they fail to appreciate the realities of the situation - the Providence Row/Claypath junction already causes tailbacks - down a steep bank and along a major route to the city centre respectively - and the proposed provision of 200 extra car parking spaces will clearly make the amount of traffic and congestion worse.
5. The new Passport Office and National Savings Office have a similar number of staff to the proposed new County Council headquarters and have no staff car parking provision whatsoever. Given that they both can manage without, so too should the County Council.

Tourism

6. The Forum considers that the loss of the tourist coach park will require coaches to come into and leave the City centre twice instead of once - coming in to drop visitors off, leaving to park at Belmont, then re-entering the centre again to pick up their visitors and then leave again. This not only doubles the amount of such traffic but also increases the amount of air pollution (see later).
7. It also endangers the coach-based tourism businesses and jobs in the City. The coach-based tourism industry is extremely sensitive to problems at destinations. Durham will become a delay problem, not just by congestion and by extra entry and exit time but also retrieving passengers who will no longer be able to return to their bus at the existing coach park. In these circumstances, some loss of tourist coach businesses is extremely likely.

8. This is an important issue - Visit County Durham estimates that in 2017 there were 3.8 million day visitors to Durham City making £107 million expenditure, which is 89% of all tourist expenditure in the City. In other words, whilst the aim rightly is to increase the number of overnight stays, the fact is that day visitors overwhelmingly provide the economic benefit at present. Deterring tourism coaches by removing their coach park from the city centre is a major negative aspect of the proposed new County Council headquarters at The Sands.

Pedestrian safety

9. There are significant and vulnerable pedestrian flows across the additional vehicular traffic that the proposal would introduce. Pupils attending the Sixth Form Centre's two locations (Freeman's Quay and Ferens Court) walk along the Freeman's Quay road and will encounter the cars entering and leaving the proposed multi-storey car park. The Sixth Form students at the Ferens Court premises will have to cross the road at the blind sharp corner at the junction of Freeman's Quay with the foot of Providence Row. School pupils are dropped off by coach on Freemans Quay for swimming sessions and have to cross the road to get to the baths. These dangers are disregarded in the traffic reports accompanying the application. Tourists will be unfamiliar with the road system and will probably be dropped off/picked up at the slip road from Milburngate Bridge and/or the coach layby opposite the service access for Walkergate. Coachloads of 40 to 70 tourists or more of a wide range of ages, mobilities and nationalities will be at risk from the additional vehicular traffic caused by the proposal.
10. Pedestrians leaving the city centre to access the north-bound bus service and Park and Ride bus stop on Milburngate Bridge will be at additional risk from increased traffic leaving the A690 to enter the Walkergate slip road. Vehicles accelerating after being released by the traffic lights on Leazes Bowl roundabout and also coming from the Claypath slip road arrive at speed to the tight turn onto the slip road immediately after the shadow of the Claypath flyover.
11. The proposal is therefore contrary to Saved Policy T1: *"The council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant effect on the amenity of occupiers of neighbouring property."*

Air pollution

12. The Durham County Council Air Quality Management Area (AQMA) for Durham City includes Claypath from Leazes Road to the junction with Providence Row. The level of air pollution is such that the County Council is required to have an action plan to deal

with the health consequences for the residents and visitors in this area. It makes matters worse not better to add to the cars, delivery lorries and coaches waiting at on the steeply sloping Providence Row traffic lights and then accelerating up steeply sloping Claypath.

13. The Planning Statement in paragraphs 5.81 to 5.84 concludes that “***the development would not cause any new exceedances of the statutory objectives***”. The whole point of including Claypath/Providence Row in the AQMA is that “national air quality objectives need to be achieved throughout the UK by the relevant deadlines, for the sake of people’s health and the environment. If a local authority finds any places where the objectives are not likely to be achieved it must declare an AQMA there and must put together a plan to improve air quality there” (DEFRA). Adding to the vehicular traffic on Providence Row and Claypath does the opposite, it makes the already worrying level of air pollution even worse. This is harmful to the residents of both streets and to the many others who walk from the Sands residential estates and from upper Claypath and beyond. These residents and walkers include a significant number of young people (University students) living in Providence Row, Wanless Terrace, Finney Terrace and Claypath/Gilesgate and there will be many hundreds more in the Purpose Built Student Accommodation blocks in Claypath, New Kepier Court and Chapel Heights walking daily through the polluted air. It is wrong to subject these young people to the perils of air pollution.

The proposed headquarters building and multi-storey car park

14. The County Council’s brief is quoted in the Design and Access Statement as needing the new headquarters building to be “of Durham and for Durham”. There is nothing “of Durham” about the proposed design; it could be anywhere in the country. Moreover, it would urbanise an area that is currently open and surrounded by trees.
15. The proposed five storey car park is far too high and bulky for the site. The approach from Freeman’s Quay and from Providence Row is at present a view of countryside with the green open flood plain and river banks of The Sands in the foreground. This is a precious quality, part of what makes Durham City special, and a multi-storey car park is not appropriate.
16. Thus the proposal is contrary to Saved Policy E5: “*Not permitting any development at observatory hill or along the riverbanks except for minor development related to either the use of existing buildings or outdoor sport and recreational use.*”
17. It is also contrary to Saved Policy E6: “*The special character, appearance and setting of the Durham (city centre) Conservation Area will be preserved or enhanced by encouraging all proposals for new building to:*

- a) *Exhibit simple, robust shapes, have a clear predominance of wall surface over openings and be restricted to a limited range of external materials; and*
- b) *Have simple traditional roofs which do not create long or continuous ridge or eaves lines and which do not include reflective surfaces such as glass; and*
- c) *Reflect a quality of design appropriate to the historic city centre; and*
- d) *Use external building materials which are the same as, or are sympathetic to the traditional materials of the historic city or an individual street; and*
- e) *Fragment proposals for large buildings into blocks of visually smaller elements in a way which is sympathetic to the historic city centre."*

Flood risk

18. Paragraph 11 of the NPPF says that for permission for development should be granted unless specific policies in the Framework indicate development should be restricted, and gives examples - policies relating to *"habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change."* The proposed County Council headquarters site is in a flood risk zone. Indeed the accompanying documents state that a flood warning system will be needed for staff and visitors to evacuate the building when flooding is expected. The Radisson Blu hotel on the opposite side of the river has several times been inaccessible due to flooding.

Sustainability

19. The 'golden thread' running through NPPF and the Durham City Draft Neighbourhood Plan is sustainability. Projects should be assessed against all three 'legs' of sustainable development: economic impacts, environmental impacts, and social impacts. The Forum considers that the proposed new DCC headquarters building and multi-storey car park have not been adequately assessed for sustainability. Further, the Forum believes that the County Council should set the standard for good sustainable development and that a full Sustainability Appraisal would find these proposals unacceptable.

The decision-making process

20. The Forum has examined the Cabinet Report of January 2018 in relation to the proposed re-location of the County Council's headquarters. It is difficult to follow the decision-making process in which at paragraph 115 two options are taken forward: *"(a) to move to a new city centre core headquarters (freehold) on developer-owned land and re-*

modelling of the strategic sites (Option 3); and (b) a new headquarters on council-owned land in the city centre delivered by the council and remodelling of the strategic sites (Option 5)." Option 3 emerges as best in all subsequent tests, not Option 5. Yet what has been decided is to build on the County Council's land i.e. Option 5, somehow in passing confusingly re-named Option 3. The Forum considers this obscurity to be most unsatisfactory, especially as the Recommendations to Cabinet say nothing about which location and whose land is being recommended.

21. A pre-application public consultation was carried out by Kier Construction Ltd, the Council's appointed developer. The planning application was submitted 22 days later. No meaningful amendments could be made within this timeframe. The Forum believes that this is indicative of a 'fait accompli' with no intention of considering public opinion as to alternative sites or the adverse impacts of the proposal as exhibited.
22. There also has to be concern that the planning application is to the County Council on its own land for its own new headquarters. Cabinet has already decided that the new Headquarters will be on this site. Whilst it is perfectly legal for the County Council Planning Committee to determine the planning application, public perception is another matter and it would be more robust for the decision to be made by an independent body. The Forum asks the County Council to not proceed with the current application but that, if it does proceed, the Secretary of State should be asked to 'call in' this application.

Alternatives

23. The Forum considers that the haste with which the planning process is being conducted is a grave disservice to the City and to achieving a positive and worthy solution. The Cabinet Report notes three alternative locations within the Council's ownership; all three are described as big enough to accommodate the proposed headquarters but two are described as having 'planning restrictions'. Far greater analysis and explanation is required before dismissing the two other sites.
24. The headquarters building could also be accommodated elsewhere, for example within the former Milburngate House cleared site across the river. Amongst many benefits, it is near the bus and railway station and staff spending would be more likely to be in North Road. Alternatively, it certainly could be accommodated within the Aykley Heads estate with good accessibility and car parking. An international architectural competition would produce an outstanding building and boost the attraction of high quality office developments there.

25. The 'hub-and-spoke' model for the County Council is good, and lends itself to having an appropriate civic presence in the County town in a smaller building with the "back-office" staff in a back office, perhaps at Belmont, Bowburn or Meadowfield. The Forum is aware of the submission from Spennymoor Town Council that the regeneration benefits should be spread to Spennymoor rather than Durham City; the same point applies for other main towns such as Bishop Auckland, Chester-le-Street, Consett or Stanley.

Conclusions

26. The Durham City Neighbourhood Planning Forum formally objects to the development proposed in this planning application on the grounds that it causes traffic congestion problems, air pollution problems, and pedestrian safety problems; is harmful to tourism, the riverbanks, and the Conservation Area; is in a flood risk zone; and is being proposed without transparent public consultation about alternatives. The Forum asks the County Council to not proceed with this planning application and instead to re-consider other sites and solutions as outlined above; to make available the evaluation of all sites and solutions; and to carry out public consultations on the choices for this very important issue for everyone in County Durham.

Roger Cornwell,
Chair, Durham City Neighbourhood Planning Forum