

THE CITY OF DURHAM TRUST

Response to the County Durham Plan Pre-Submission Draft

COUNTY DURHAM PLAN PRE-SUBMISSION DRAFT - Consultation October 2013

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| NAME & ADDRESS THE CITY OF DURHAM TRUST QUALITY SOLICITORS BHP LAW, KEPIER HOUSE BELMONT BUSINESS PARK BELMONT DURHAM DH1 1TW Email Address Trust@DurhamCity.org | NAME & ADDRESS (AGENT) ROGER CORNWELL (CHAIR) Other details as at left. Email Address |
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Preferred method of contact (please tick): Email Letter

To which part of the County Durham Plan does your representation relate?

Policy number 2

Q1

Do you consider that this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant and Sound? **No**
Legally and Procedurally Compliant **No (Go to Q3)**
Sound No (Go to Q3)

Q2 – not relevant.

Q3

Why do you consider that this Policy/Proposal of the Pre-Submission Draft Local Plan is not Legally & Procedurally Compliant or sound? Is it:

Positively Prepared? **No**

Justified? **No**

Effective? **No**

Consistent? **No**

Q4

If you do not consider this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant or Sound please use this box to explain why.

1. The Settlement Study referred to in paragraph 4.5 is unchanged since the Preferred Options stage of this plan, so the comments made then by the Trust¹ remain valid. We found fault with the methodology and the scoring matrix, concluding that because the scoring matrix is biased in favour of the main towns and against the smaller settlements, particularly those that are quite near, but not near enough, to a main town, the policy concentrates development on those main towns to the detriment of their hinterland. A fairer scoring system would result in development being spread more widely than is proposed. Consequently the Spatial Approach **has not been Positively Prepared** because it is not based on balanced evidence.
2. The Trust accepts the need for regeneration and agrees that the City will have an important role to play in the Plan period, but is seriously concerned over the high degree of total development which DCC wishes to direct towards the City. In specific spheres – architectural/spiritual, academic - the City is already of the significance mentioned. The small, tight-knit nature of the City, which is one of its defining qualities, will be lost through a deliberate policy of subjecting it to excessive and unsustainable growth. The language of para 4.14 leaves one in no doubt of this key part of the Vision. The City is described as having “limited scale and offer” needing “a critical mass of employment, population and visitors to build on its strengths and become a city of regional, national and international significance.”
3. Paragraph 4.14 also refers to a “central business core” and Policy 7 and paragraph 4.100 makes it clear that by this is meant Aykley Heads. The various buildings planned for this site lie between 1.2km and 1.7km from the Market Place as the crow flies, and between 1.5km and 2.1km walking, mostly along a road with a 40mph speed limit. This is well outside the City Centre. It is, however, land owned by the County Council, unlike the city centre sites of Milburngate House (being emptied of its occupiers), Freeman's Reach (phase 1 under construction, phase 2 awaiting tenants before being developed) and Old Shire Hall (empty since vacated by the University a year ago). The Plan should follow the guidance in NPPF paragraph 23 and prioritise these and other City Centre sites over Aykley Heads. As it does not it is unsound because it is **not consistent with national policy**.
4. Since the 2004 City of Durham Local Plan came into force, the housing offer in the City has deteriorated because a large proportion of houses coming on to the market have been bought by landlords for conversion to HMOs and letting to students. The 2011 census recorded 5,030 students living in 1,227 student-only households² in the three central wards³ of Durham. Numbers will be higher now. In addition there will be further mostly-student households adding to these figures. These houses are taken out of the housing offer that paragraph 4.14 sees as being important. Policy 32 starts to address this problem, but urgent measures are needed to reverse this trend. Restoration of such properties as family houses, and stronger planning measures to prevent conversion or new-build sites within the City being pre-empted for more non-University student residences would be a more sustainable way of increasing housing supply in Durham City than extending its footprint into the Green Belt. It would also address a concern that is being increasingly regarded as a major planning issue by residents, their representative community organisations, and the City's MP.
5. The over-concentration, over-development and resultant increase in the size of the City that is proposed in Policy 4 would be highly injurious to its character. This is not simply the view of the Trust - the government appointed Inspector at the 2002 Local Plan Inquiry concluded:

“ In essence the character of Durham does not derive from views of the Cathedral and Castle but from the relationship between them and the actual physical size of the built-up area.....An increase in the physical size of the City, irrespective of any effects on views or countryside quality, would be likely to have a generally harmful effect on the character of the City” (para 4).

1 Attached as CDT.Settlement_Study.pdf

2 Extracted from <http://www.neighbourhood.statistics.gov.uk/dissemination/> Household Composition tables

3 Neville's Cross, Elvet and Gilesgate. wards (2011 boundaries)

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6. Although it has now been superseded, it is worth noting that the *Regional Spatial Strategy* acknowledged this size constraint (2.77). Thomas Sharp, former president of both the Town Planning Institute and Institute of Landscape Architects, wrote: “There is no need for Durham to grow large. There would be no benefit in it, indeed, there would be injury.” Bill Bryson, past Chancellor of Durham University and international commentator, is only the last of a long line of writers who have valued the small size of the settlement : “It’s wonderful - a perfect little city”⁴.
7. In 2011 two of the county parliamentary constituencies – Durham City and Sedgefield – had jobs densities significantly above the then regional average of 67%. Conversely, the two constituencies bordering the Tyne & Wear conurbation – North Durham and North-West Durham – had job densities of 46% and 45% respectively, clearly reflecting their predominant economic function as dormitories for the major employment centres in the former Metropolitan County, whereas the Sedgefield constituency saw a net inward flow of 6,300 workers. Interestingly, and in marked contrast with Sedgefield despite a very similar job density, the City of Durham constituency, which the Council’s strategy envisages as the future prime employment growth attractor within the administrative county, had a net outflow of 900 workers
8. In addition to the Council’s considerable selectivity in how it has publicly presented and interpreted the population and employment data that it has marshalled in support of its preferred option of making the City of Durham its chosen hub for employment and housing development, the Council has also apparently consciously opted to ignore parts of its own evidence base that would suggest alternative policy solutions. As can be inferred from the NOMIS-sourced constituency data that has already been cited, the levels of unemployment that contribute to the relatively poor county average are driven by constituencies other than the City of Durham itself (which in 2011 had a level of unemployment that was statistically too low to be reported within the NOMIS database). Unemployment was highest within the North West Durham, North Durham and Bishop Auckland constituencies; those which abut the City constituency to the south and east, Easington and Sedgefield, had unemployment levels below the county average.
9. If Durham City, as the Council’s preferred development growth pole, is to address unemployment in the north and west of the county, then the residents of these areas will face relatively long commuting distances to reach the city. This in itself would be a less sustainable outcome than more locally accessible employment, and at variance with the conclusion within an earlier DCC evidence paper, *Defining economic growth in the County Durham Plan* (March 2012) that “from an environmental sustainability view point it is sensible to have residents living close to their place of work, but we should also recognise to the north and to a lesser extent the south of the County, the shortest journey to work may involve crossing the County boundary” (page 12, para 43). Another evidence paper prepared for the Council, *Technical paper 23: population and demographics* (April 2009), also pointed out that a spatial re-distribution was taking place within County Durham, with population moving out from the central corridor and into the east and west of the county.
10. Taking account of this relocation and of the then-available projections of natural change, the report forecast in table 3.5 that by 2026 Durham City would see only moderate population growth, with the greatest increase in the former Wear Valley and Derwentside districts, and absolute declines within Chester-le-Street and Sedgefield. Such information, contained within the Council’s own research and not subsequently modified through further published analysis, must strengthen doubts about the objectivity of the internal processes which the Council has used to filter the evidence it has chosen to use for policy development. These documents certainly point up the inherent contradiction between the Council’s policy of seeking to concentrate so much future employment and housing growth on the City of Durham, and its assertion that such an approach will benefit the entire county. Once the Council’s ambition to buttress this strategy by substantial further in-migration is factored into the equation, the future risk to the substantial communities at the periphery of the administrative county’s area seems even more evident.
11. The Durham City Regeneration Masterplan⁵ states at paragraph 36 that “The population of the built-up area of Durham is approximately 43,000, with some 31,400 people being of working age. There is a catchment of 107,000 people within a five mile radius, extending to 511,000 within 10 miles.” The 64,000 people living outside the built-up area but within 5 miles are living only just beyond the Green Belt. In terms of the “need” for a “critical mass” of population they should be

4 *Notes from a Small Island* (1996), p.294.

5 <http://content.durham.gov.uk/PDFRepository/DurhamCityRegenerationMasterplanOctober2013LowResolution.pdf>

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- included in the numbers. Adding 3,925 houses on Green Belt land at the Strategic Sites and Merryoaks will add around 9000 to this population, an increase of 8.4%. This is not going to tip the balance.
12. Furthermore, we note that the development at the A688/A167 junction is called Durham Gate. It is 8km (5 miles) from the Market Place. Durham Services at Junction 61 of the A1(M) is 6.5km (4 miles) away. This supports our contention that in seeking to attract businesses to “Durham” the net can be cast rather wider than the Council is arguing.
 13. However, in terms of the significance of overall employment, it is unrealistic to envisage Durham as more than a sub-regional centre, given its size and geographical location within the North East. Despite the appellation ‘city’, Durham cannot hope to compete with Newcastle in terms of critical mass, for the former will remain the retail, professional services and media core of the region. Even in tertiary education, it should be noted that Newcastle has two universities and a bigger student population. In short, there are no indicators to suggest that Durham will ‘buck the trend’ characteristic of UK regions towards dominance of a main city, a trend apparent during an era of loss of traditional industrial bases and the growth of a service-led economy.
 14. To summarise, the Spatial Approach is also unsound because it is **not effective**, because there is no evidence that it will actually be deliverable over the plan period.
 15. It is remarkable that the Spatial Approach makes no reference to surrounding authorities and interactions with them. We have been supplied with a copy of the *LA7 Leadership Board: Review of Economic Evidence*⁶, prepared as a background paper for the Governance Review that resulted in the decision to create a Combined Authority.
 16. Paragraph 3.5 of that paper notes that “A significant increase in new build in County Durham has generated population growth, leading to outward migration from the urban core of Tyne & Wear to County Durham.” Paragraph 3.9 adds “that the urban centres of Newcastle and Gateshead supply employment opportunities for people living in the surrounding districts and counties, which offer fewer employment opportunities” and “that employment within these urban centres provides higher levels of earnings for those people working in them than are available in their resident areas” The associated table, garnered from a review of NOMIS data (2012) shows that there are 221,300 employed people in County Durham, but only 177,000 (80%) work in the County. Those working in the County earn an average of £437.40 a week, but the average weekly earnings of residents is £458.00 – which implies that those commuting out of the County average £540.30 a week, just over £100 more than those working in the County.
 17. It follows that cooperating with neighbouring authorities to provide employment in their areas for County Durham residents would be a good way to make those residents *Altogether Wealthier*. Another consequence is that the Plan should allocate more new housing nearer to neighbouring authorities, to reduce travel distances and this be more sustainable.
 18. Consequently the plan is **not effective** because it is not based on effective joint working on cross-boundary strategic priorities, and it **fails the Duty to Cooperate**. It is **not justified** because the reasonable alternative set out above has not been considered.

6 Attached as LA7 Governance Review - Review of Economic Evidence.pdf

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Q5

What change(s) do you consider necessary to make this policy/proposal of the Pre-Submission Draft Plan Legally & Procedurally Compliant and Sound?

It is not possible to amend this policy in a stand-alone way, because many of its failings flow from more basic failings in the underlying thinking behind the Plan and its building blocks. These must be corrected and a fresh start made, including a new Settlement Study. The new Spatial Approach Policy will need to address the shortcomings identified in the answers to Question 4.

Q6

Do you wish to participate in the Examination in Public? (Please note that the Planning Inspector will make the final decision on who will be invited to attend individual sessions at the Examination).

Yes

Q7

Do you want to be informed of the following:

The submission of the Local Plan to the Secretary of State? Yes

The publication the Inspector report? Yes

The adoption of the County Durham Plan? Yes