

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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Consultee ID:

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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 6 - Durham City

Q1

Do you consider that this policy/proposal of the Pre-Submission Draft Local Plan to be Legally & Procedurally Compliant and Sound?

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 Trust considers that Policy 6, the major strands of which consist of a Strategic Employment Site, Strategic Housing Sites and two Relief Roads, is unsound. Specific objections to these strands are given in our responses to their related Policies, 7, 8, 9, 10 and 14, as well comments on the initial County-wide Policies 1 – 4, and these should be read in conjunction with what follows.
2. **Positively Prepared:** Collectively, the major strands would result in a disproportionate amount of development in the City as a result of a drive to enable the City to “fulfil its economic potential as a regional economic asset for the whole county” (4.48, also p.24). The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements. The City’s growth is described in terms of alleged need: the need for “a step change” (4.2) and the need for “a critical mass” (4.14, also 4.92). However, **neither need is defined – there is no objective assessment.**
3. **Justified:** The “step change” is derived, not from a reasoned comparison of alternative scenarios, but from aspiration or dogma. In the words of the County Planning Officer, “The population is too low to attract many of the facilities we want. Population is really holding Durham back in many respects” (*Durham Times*, 6th August 2010). In this respect, it is not correct, as the *Pre-Submission Draft* asserts, that “Development and growth in Durham City has been limited over the past 20 years as regeneration of industrial towns and villages around the City has taken priority” (4.14, 4.88). The past 20 years has seen the housing on the former Neville's Cross College site and the former Council depot on Pit Lane, plus many smaller developments such as Highgate and Aykley Green, the building of the Tesco Extra and out-of town shopping including a large B&Q at Dragonville, and considerable University Expansion including Usinov and Josephine Butler Colleges and the Palatine Centre. **No justification is given for a reversal - or even, modification - of a policy which worked well for both City and County, besides protecting the Green Belt.**
4. **Effective:** The aim of increased development in the City is in order that it might “become a city of regional, national and international significance” (4.14, 4.92). We note the use of the question-begging word “become”. This can only refer to what it is hoped to achieve in the field of business through high-class office development at Aykley Heads. **There is no evidence that this ambition is deliverable over the plan period.** A rise to even national standing of an office complex at Aykley Heads appears extremely unlikely, given its present position and, more importantly, given the attraction that Newcastle, the regional capital, will continue to exert for any really significant company wishing to locate in the North East. (LEPs, the ‘movers’ of economic development, are also on Tyneside, and Teesside, and very soon the North East Leadership Board will be taking a regional view.)
5. However, even were this to occur, it would certainly not increase Durham City's urban influence or ranking in the region. It would still be a modest sub-regional centre, midway between the Tyneside and Teesside conurbations. This is acknowledged at paragraph 4.182: “County Durham falls between two City Regions”. Sunderland (population 174,000) is nearby to the east. In particular, it could never hope to compete in terms of critical mass with Newcastle (population 190,000), which will remain the retail, business and

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- professional services and media core of the region. Even in terms of tertiary education, Newcastle has two universities and a much higher student population.
6. **Effective:** The concentration on Aykley Heads at the expense of alternative sites in the County suggests that the Council is highlighting the vested commercial interest of its own property. (The willingness to demolish its own headquarters (at a cost of £7M) in order to attract an appropriate prestige company reinforces this suggestion.)
 7. **Consistent:** Paragraph 4.90 proposes “the redevelopment of Aykley Heads to provide a Central Business quarter”. Aykley Heads is 1.4km north of the Market Place and indeed about 1km by road north-west of the proposed new Northern Quarter. This point is addressed in greater detail in our submission on Policy 7. NPPF paragraph 23 *Ensuring the vitality of town centres* says that where town centres are in decline (as Durham's is) local planning authorities should plan positively for their future to encourage economic activity. Paragraph 4.91 rightly promotes the former Ice Rink and Milburngate sites and these are city centre sites. In promoting Aykley Heads ahead of them the *Pre-Submission Draft* is **not following the sequence set out in the NPPF**.
 8. **Effective:** The plan does not, in respect of Durham City, meet objective 3 set out in paragraph 3.2, to “Improve the vitality, viability and economic performance of the main towns by directing the majority of development to these centres as part of a whole town approach.” Its proposals for major house building at Sniperley Park and to the North of the Arnison Centre would create, adjoining the large housing estates already in the area, what would be to all intents and purposes a new town to the NW of the old centre, something that is “in” Durham City by administrative technicality. In fact it must drain the centre of the old city. Even the proposed new large retail space acknowledged as needed for Durham City has now been moved to the north of the Arnison Centre (6.29)--a distance as far north of the market place as Bowburn is to the south east. The Northern Road would then link big retail centres either side of the river and further exacerbate the move of economic and social life away from the old city.
 9. **Consistent:** Paragraph 4.93 describes the Green Belt deletions. As our submission on Policy 8 shows, these are not necessary and do not show exceptional circumstances as required by paragraph 83 of the NPPF. Consequently, the *Pre-Submission Draft* is **not consistent with national policy**.
 10. Paragraph e simply states that the Plan “Accommodates the future aspirations of Durham University”. We share the concern of CPRE that there is no specific Policy relating to the expansion of Durham University. Where reference is made in other policies it generally boils down to “What the University wants, the University gets.” A comprehensive Plan needs more than this, and the omission means that in this respect the plan is **not positively prepared**. We do note Policy 32, but this appears to be designed to prevent any further such development in certain postcodes, and clarifying where such accommodation may be acceptable. Given the proposed increase in the number of students, it is essential that such accommodation is appropriately located and that other housing is not forced out from the City Centre, putting greater pressure on greenfield sites.
 11. **Justified:** 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

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built-up area.....An increase in 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).

12. Such a strong and positive statement, which the Trust and scholars alike strongly support, constitutes an alternative still relevant today which the *Pre-Submission Draft* needs to address and with arguments about why it no longer holds. **This it fails to do, and cannot do.**
13. The consequence of the Authority’s policy would be highly injurious to the character of the City. If the uniqueness of Durham City did not play so large a part in its international recognition and in its status as a World Heritage Site, such injury might perhaps be less significant. But there is only one Durham, and its special urban ensemble - a combination of its central core, perceptual bounding and modest size - is a vulnerable entity.

Q5

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

The unjustified and undeliverable nature of this policy springs from the lack of a justified realistic Regeneration Statement that also puts too much emphasis on Durham City at the expense of other parts of the County. The Regeneration Statement needs to be revisited first. From that should flow an achievable Plan that recognises the unique value of Durham City.

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