

Comment Receipt

Event Name	County Durham Plan Pre-Submission Draft
Comment by	The City of Durham Trust (Mr John Lowe - 440609)
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Consultation Point	Policy 9 Retail Hierarchy and Town Centre Development (View)
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Q1

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

(Please note the considerations in relation to the Local Plan being 'Legally and Procedurally Compliant' (Please see guidance notes).

(Please select one answer for each question)

Legally and Procedurally Compliant Yes (Go to Q2)

Sound No (Go to Q3)

Q2

If consider that this policy/proposal of the Pre-Submission Draft Local Plan is Legally & Procedurally Compliant and Sound please use this box to explain why? Please note your representation should cover all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there is no opportunity to submit further representations unless requested to do so by the Inspector, based on the matters he/she identifies for examination.

(Go to Q6)

The City of Durham Trust considers that it is essential that the Durham city centre 'offer' and the quantum of year-round residents are both improved. The 'offer' involves ensuring that the city centre is an attractive destination with events and venues for the arts in all forms and at the same time tackling the deterrent consequences of the 'evening economy'. Approving residential development schemes in and around the city centre is a positive approach to maintaining and increasing the local population. Accordingly, the Trust welcomes that the policy is now explicitly supportive of residential uses within the town centre and the contribution that they can make.

Q3

Why do you consider that this Policy/Proposal of the Pre-Submission Draft Local Plan is not Legally & Procedurally Compliant or sound? (Please select all that apply)

- . Positively Prepared
- . Justified
- . Effective
- . Consistent with national policy

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. Please note your representation should cover all the information, evidence and supporting information necessary to support/justify the representation as there is no opportunity to submit further representations unless requested to do so by the Inspector, based on the matters he/she identifies for examination.

Policy 9 does not address the major adverse impact on the Durham City retail offer from the replacement of permanent residents with student residents over recent decades such that less than half of the population of the City of Durham Parish are here only half of the year. In this regard it is therefore **not Positively Prepared nor Effective**.

There is a major adverse impact on the Durham City retail offer from the replacement of permanent residents with student residents over recent decades. The University increased its student numbers in Durham City by many thousands without providing a concomitant amount of accommodation. Existing family housing became student housing. All-year residents became half-year residents. Shops cannot survive on half-year takings. This is one of the impacts of the growth of Durham University that means that policies for its growth and the need for commensurate student accommodation are so important.

Accordingly, it is crucial that the remaining Durham City retail offer is given all the protection possible consistent with the NPPF. The main competition to the city centre, both for convenience and comparison shopping, are the out-of-town retail sites at Arnison and Sherburn Road/Dragonville. With their large modular units and plentiful car parking they draw customers from most of the city, as well as further afield (e.g. Chester-le-Street: see para. 7.11 of the Retail and Town Centre Study). Some major shops, including Wilko and Marks & Spencer, have relocated from the city centre to one of these sites in the last five years, and the main food market share which the city centre secures from the immediate Durham City catchment declined by 45% between 2009 and 2016 (Retail and Town Centre Study, para. 10.12). These peripheral sites are described as District Centres in Policy 9 and are included in the policy map in the "Retail hierarchy and development – town centres" category.

Paragraph 5.51 of the Plan acknowledges the origin of both centres as "out of town retail park developments", but why they should be categorised as District Centres within the retail hierarchy, is **not justified**. This is not explained in the Retail and Town Centre Study either, which notes in paragraph 10.36 that they "are effectively out-of-centre retail parks which have been designated as centres". The policy wording should make it clear that these sites are considered "out of centre" sites rather than "town centre" sites and in accordance with NPPF paragraph 86 a sequential test should be applied to planning applications for town centre uses proposed for these sites. The policy currently is **not consistent with national policy**.

The current policy wording would not apply a sequential test, because the effect of the policy and the proposals map is that Arnison and Sherburn Road/Dragonville are regarded as existing centres. Thus the section headed "Town Centre Boundaries" will not apply, because retail proposals "within an in-centre location" do not require an impact assessment, and from the footnotes and proposals map it is clear that Arnison and Dragonville are regarded as "in-centre". A subsequent paragraph of the policy does require applicants to "consider the impact on Durham City Centre where the proposed floorspace is above 2,500 sqm" for major development proposals in these "District Centres". This threshold, higher than those in previous section of the policy, risks the development of smaller units which could attract specialist shops to the out-of-town retail areas, and thus further weaken the Durham city centre provision. The Retail and Town Centre Study indeed notes, in paragraph 2.23 a trend of

“increasing diversification of retail warehouse parks to include food and drink and leisure uses to create a ‘destination’ for visitors”.

The policy is therefore **not effective** in protecting the vitality of Durham city centre.

The policy is also silent on the need to achieve modal shift to sustainable transport, especially active travel, for shopping trips as well as travel to work. Two recent publications emphasise the important of locating shops within walking or cycling distance of homes, to reduce car use for shopping trips. In “UK housing: fit for the future” (Committee on Climate Change, February 2019) section 3.4.1 on page 101 notes “the importance of locating shops and jobs near people’s homes as far as possible accompanied by sustainable travel infrastructure, to reduce the need for car travel for these purposes”. The joint RTPI/TCPA publication, “Rising to the climate crisis: a guide for local authorities on planning for climate change” (2nd ed., December 2018) also urges that in evidence-gathering when preparing a local plan, the opportunities to increase the proportion of trips made through sustainable transport should be maximised, including the need to “secure support for existing and new shops and services, including pre-school/primary education facilities, within walking distance of people’s homes, thus reducing the need to travel” (p. 26). There does not seem to have been any evaluation, during the formation of Policy 9, of how sustainable transport for shopping trips might be increased, in particular by considering whether the out-of-town retail at Arnison and Dragonville is deserving of further development by being included in the retail hierarchy. This aspect of the policy is therefore **not justified**.

NPPF paragraph 87 requires applicants and local authorities to “demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored”. This requirement has not been translated into policy within the local plan, failing to reinforce the protection that should be afforded to the city centre.

The Trust is also concerned that local shops at Carrville, Belmont and Newton Hall have not been listed in the policy as “local centres” while Framwellgate Moor has been. (The local centre at Belmont is included in the Retail and Town Centre Study, but the others were not.) Such local shops encourage greater use of sustainable transport for retail trips, and should be preferred over the listed District Centres which increase car dependency. There should also have been consideration as to whether a local centre needs to be allocated in the south-west of the city to serve the new housing at Mount Oswald. This would also benefit residents of Merryoaks which is relatively car-dependent for food shopping. There would need to be careful study to ensure business was not abstracted from the town centre.

It is the Trust’s view that NPPF paragraphs 85 to 90 on “Ensuring the vitality of town centres” are not intended to apply to sites such as Arnison and Dragonville which tend to abstract business from accessible retail locations such as Durham city centre and the local centres listed in the policy.

There are also inconsistencies in the treatment of the two sites. While the boundary for the Arnison Centre includes all the current retail, the Sherburn Road/Dragonville boundary covers only retail west of Dragon Lane and south of Renny’s Lane, thereby excluding retail at Durham City Retail Park which is very similar in nature to the Arnison Centre. It does include an area of land on the corner of Mill Lane and Sherburn Road/Front Street which currently has a car park and bingo hall occupying it, and a corner shop at the end of Frank Street. If the intention is to protect this as a local centre, and to encourage further small retail units, this should perhaps be defined as a separate area. The reason for this inclusion is not explained and therefore the policy is **not justified**.

Q5

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

Explicit inclusion of measures to ensure that the 'offer' meet the needs of permanent residents so as to reverse the decline in retailing.

Remove the listed District Centres from the policy, so that they are not included in the retail hierarchy, ensuring that a sequential test is applied for all applications.

Add the retail areas at Newton Hall, Belmont and Carrville to the list of Local Centres and to the proposals map.

Consider the need for a new local centre to be allocated fo serve the south-west of the city at Merryoaks or Mount Oswald.

Review the land adjoining Front Street/Sherburn Road at Mill Lane and Frank Street and consider defining a local centre confined to this land if the intention is to encourage the development of smaller retail units as a local centre.

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

Consultation on any Main Modifications? Yes

The adoption of the County Durham Plan? Yes