

THE CITY OF DURHAM TRUST

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c/o Blakett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
13 April 2020

Dear Mr Jones

DM/20/00702/VOC The Sands Carpark and Durham Sixth Form Car Park Site Freemans Place Durham DH1 1SQ

Variation of condition 2 of DM/18/02369/FPA (Erection of office headquarters with associated works and car parking) to permit installation of PV cells and roof terrace

City of Durham Trust Response

The City of Durham Trust objects to this variation of condition.

General Comments

The quality and balance of the County Council's actions and decision making in respect of its stewardship of the historic environment Durham's historic has already been demonstrably compromised by the process leading to the construction of this building. High impact proposals such as these variations that will have potential consequences should have been revealed more properly at the planning application stage. The variations clearly exacerbate the development's cumulative negative impact. Their potential as damaging planning precedents is also significant. Contextually, the change in Durham's historic area commercial provision from retail to leisure uses has brought pressure that challenges the townscape quality of buildings and the historic core. Examples are the Library sports bar upper terrace on Saddler Street that began as the extension for the University Department of Archaeology. Following the terrace's change to private sector operation as a bar, the terrace has become intrusively used, particularly at night. It is prominently lit, noisy and crowded and dominates the areas from Elvet Bridge. Similarly, the Revolution upper terrace bar on Elvet Bridge, now with permitted semi-permanent construction, intrudes on the river setting and World Heritage Site views.

As the City and County emerge from the Covid 19 crisis and seek to rebuild economically, leisure use in the city centre may change. Stewardship of the historic core will need to remain robust in order to avoid permanent damage to its underlying significance. The poor precedent created by this proposal would inevitably shape the context in which future decisions will be made.

PV Cells - Specific Comment

Although the balustrade of the building partly masks the PV cells, the actual extent of this masking is unclear from the application. Their construction and materials are very discordant in the historic environment. What is also unclear is the degree of reflectivity of the panels and how, in certain lighting conditions, this might cause sun reflections projecting through the balustrade. As this is not dealt with, it is assumed there is a risk. In terms of sustainability the relative positive impact of alternative energy generation should be set against the wider sustainability requirement of ensuring that development treatment contributes positively to the future of historic core of the City. Its positive contribution is otherwise understood.

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The Trust would normally not wish to object to this variation based on its sustainability contribution, but does so unless materials/impact assessment can clearly rule out intrusion and prominence caused by materials and reflectivity.

Relevant City of Durham Local Plan Saved policies

E3 – World Heritage Site protection of site and setting

1) Restricting development to safeguard local and long-distance views to WHS (*river corridor approach*)

E6 – Preserving and enhancing the special character of the City Centre Conservation Area

c) Encouraging proposals to not include reflective surfaces.

E22 – Preserving the character and appearance of Conservation Areas

1) By not permitting development that detracts.

4) Requiring a sufficient level of detail to enable assessment of impact

Roof Terrace

The capacity of roof terraces to intrude into the riverside environment and the historic core is already clear from previous examples (The Library and The Revolution bar terraces). Negative impacts from this building are already inevitable from the plans as originally submitted, through the blocking of a WHS view and the introduction of a building in an outmoded architectural style that exacerbate its prominence through form and materials. To add another potentially high impact use onto the river frontage exacerbates this loss. The relative scaling of the building is disrupted by the appearance of people on its upper level (see below).



The submitted illustrations clearly show the impact of just a few people in daytime. Intensive nighttime Council use cannot be ruled out – as is suggested by the low-level lighting and 163-person allowance. The submitted assessments fail to deal adequately with the new scope for impact. The riverside area itself will now offer a sequential dynamic view to the terrace because the movement of people, noise and lighting will make it prominent. The lighting will render the terrace more visible from other high spots. It will be on view from some of the river facing new Milburngate buildings and terraces, possibly upper levels of the Highgate development and the Radisson Hotel for example.

It also be seen from the slopes at the rear of Crook Hall and from within the Hall. Daytime impact will be relatively minor from this view (see below). However, it will stand out, if lit at

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night, in the view to the Cathedral cumulatively with the atrium roof (that now appears to have a pronounced pitch rather than appearing flat as in previous illustrations). The atrium will be a strong distraction in the night view unless measures are taken to avoid transmitted light showing through the glass roof. Together they form a strong distraction set against the lit Cathedral and its surrounding generally darker townscape setting – something that had been assiduously avoided in previous City development proposals.



In addition to the proposal, if the terrace is to be used regularly, there is a strong tendency to collect prominent additional furniture or lighting for night use. The low-level lighting isn't shown but is assumed to extend across the whole terrace for safety reasons.

Looking downriver this will sit uncomfortably in the view to the landscape of the riverside and Sands beyond. Looking towards the WHS it will stand out in sequential views moving towards the WHS and in the historic townscape building up to the WHS. There will be visual disruption by day, particularly if in full use, but at night this will be substantially increased.

Furthermore, later changes to ownership and uses cannot be ruled out. This is the third County Council headquarters building in the City: administrative jurisdictions and functions could and might continue to change, and the possibility of an eventual switch from public administration to private commercial use has already been demonstrated in the conversion of the former Shire Hall in Old Elvet to an hotel.

Objection

The Trust objects to the variation for the roof terrace proposal because of its unnecessary and intrusive negative impact on the historic environment, the World Heritage Site, and the creation of a poor precedent. This is based on its amenity impacts of noise, lighting and visual disturbance. It will have a cumulative negative impact generally together with other riverside terraces and developments within the City Centre Conservation Area.

To approve this variation would represent a further erosion of the County Council's stewardship of the historic environment.

Relevant City of Durham Local Plan Saved policies:

E3 – World Heritage Site protection of site and setting

1) Restricting development to safeguard local and long-distance views to WHS (*river corridor approach*)

E6 – Preserving and enhancing the special character of the City Centre Conservation Area

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- c) Reflect quality of design appropriate to historic city centre
- E22 – Preserving the character and appearance of Conservation Areas
- 1) By not permitting development that detracts.
 - 4) Requiring a sufficient level of detail to enable assessment of impact

Yours sincerely

John Lowe
Chair, The City of Durham Trust