

## **UK Parliament - Housing, Communities and Local Government Committee**

### **Call for evidence, Terms of Reference:**

*With specific reference to permitted development in respect of large-scale development, commercial-to-residential conversions and changes of use between different types of commercial and retail premises:*

## **City of Durham Trust Response**

### **Organisation Information**

The City of Durham Trust is a community interest organisation and is now a Charitable Incorporated Organisation consisting of 14 Trustees with a range of skills, experience and interest in Durham City and its natural and built environment. The Trust is growing steadily and now has almost 400 members from Durham or with a particular interest in Durham.

Two of its key priorities are:

- To preserve for the benefit of the public the amenities of the City of Durham and Framwelgate and its surroundings, and for that purpose (subject to the provisions of Section 14 of The Companies Act, 1929) to acquire land and buildings in and in the vicinity of Durham, and to conserve the natural features and to promote the development of such land and buildings consonant with the objects of the Society.
- To aid in preserving and maintaining public rights of way in the neighbourhood of Durham, and to encourage public co-operation in the protection of objects of natural beauty and interest, and buildings of architectural or historical value, to assist the development of urban or rural community like, to organize exhibitions, to publish pamphlets and other like literary works, and to initiate or take part in meetings and lectures or social events having these objects in view.

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### **Principal Planning Issues for Durham City**

The Trust's position is that Durham City's heritage and its World Heritage Site (WHS) must be protected. This is not a backward looking stance that rejects change – the future for Durham relies on its heritage and the WHS. The City is experiencing a period of very substantial change from large riverside and office developments coupled with sustained pressure from University expansion and its high demands for student accommodation. There is limited incorporation of measures to combat the climate emergency. Sustainable transport sits low on the agenda and opportunities are consistently being lost. The new County Durham Local Plan has given little relief and brought its own negative impacts from edge of city expansion, so far accompanied by lacklustre proposals.

Obviously the impacts of the Covid pandemic have yet to be reflected, but key concerns for the future of Durham as it experiences change are:

- The expansion of the University as it seeks to increase or upgrade its building accommodation on prominent sites and in some instances, limited available land.
- Increasing 'studentification' of inner-city housing areas and the creation of large Purpose Built Student Accommodation blocks (PBSA).
- Retail losses in the City centre, failure to replace them with alternatives, and extensive creation of student accommodation in the upper stories of key premises on historic City streets.
- Continuing domination and poorly controlled expansion of food and leisure businesses in the City core.
- Low quality of proposals for the edge of City urban expansion areas.
- Failure to recognise need and opportunities for sustainable transport.
- Failures in reacting to sustainability needs including improving air quality.

## **Durham City's Planning Context**

The County Council undervalues the positive contribution of the City's heritage and the role it can play in the future. It is a relatively poor County and remains desperate for economic development. This leads to overreliance on Durham City to provide the fuel for this and overestimates the contribution office developments can make. The City relies on the University and its economic contribution and this leads to unwillingness to contribute towards managing its change to ensure minimal impact. The County's resources are very stretched and the Trust is otherwise sympathetic to its needs.

The creation of the City of Durham Parish Council is having a positive impact that will increase when the Neighbourhood Plan is hopefully approved in the May referendum. This will add very necessary detail to planning policies in Durham City but cannot remedy underlying major issues.

## **General Planning Policy Context**

The drivers for change seem to have been heading in two directions, both of which are principally housing based. The underlying analysis is missing or seems largely to have bypassed issues such as those that Durham is experiencing.

Very welcome is the move towards 'Beauty' in developments and the evolution of the Design Code and Design Guidance. Although this is more orientated towards housing, the Trust appreciates the initiative but can see issues with resourcing amongst others.

While the need nationally for new housing is understood, the dedication of much policy change towards this completely misses the type of issues experienced in Durham. Its problems lie in loss of housing to student rental, lack of affordable housing and failures in ensuring flexible housing provision. New provision in Durham is not orientated towards

these and follows market driven opportunistic routes that could have been found in suburban expansion at anytime in the past 50 years.

The Trust may see problems with the Local Authority and the orientation and implementation of its policies but does not consider it an obstacle to development. Rather, it is the facilitator of poor development. Equally it sees volume house builders as part of the housing provision problem rather than its solution. Evidence is sorely lacking on what the real obstacles are in providing adequate housing and responding to regional variations. Introducing greater commercial freedoms into Durham's City centre will simply exacerbate existing pressure from developers and their negative contributions to adequately conserving the City's heritage.

The planning changes also undermine local responses to dealing with issues that are seen as important for Durham, just at the point where more finely tuned local policies are about to be approved. This further centralises control and weakens local democracy.

## **Permitted Development – Changes**

In providing evidence the Trust is mindful of local circumstances and it measures impact both by the degree to which the changes fail to adequately deal with existing issues and the way they create new problems. Following the suggested evidence format the Trust's response is as follows:

### **\* What role should permitted development rights (PDR) play in the planning system?**

It is understood that basic changes to buildings in non-sensitive areas are of minimal impact and that permitted development rights (PDR) have a role in avoiding undue bureaucracy and burdening the planning system with unnecessary applications. For the Trust, Conservation Areas and settings to listed buildings and other heritage or natural assets are sensitive areas. Their significance and quality can be eroded by even modest changes and there should be no expansion of permitted development rights for these areas. It remains to be seen whether current extensions to permitted development are having a negative impact. For the Trust the changes do not tackle core planning issues for the City and may add to them. Heritage impact is generally grossly underrepresented in considering PDR change and the contribution to new housing overrated.

### **\* What is the impact of PDR on the quality and quantity of new housing, including affordable and social housing?**

The Trust can see no impact on improving quality, amount or broadening the range of new housing. Negative impact may yet result from the changes in PDR. The Trust is concerned about the rapid rise in top floor conversion of retail properties (and in one case a two/three storey top extension) to student accommodation. The change is not to residential but moves straight into the student rental sector. The buildings are in historic streets at the

foot of The World Heritage Site and are a key part of Durham's heritage. This extensive change is unplanned and it does little for the vitality of the City centre. It is resulting in an extensive loss to retail space without consideration for other uses that might enliven these historic streets.

The PDR changes fail to address key issues and may add to negative change.

**\* What is the impact of PDR on local planning authorities, developer contributions and the provision of infrastructure and services?**

The City centre student accommodation changes do not generate income for the local authority and are in spaces intended for less intensive use. There may be stretch for local servicing.

**\* Is the government's approach to PDR consistent with its vision in the Planning White Paper?**

The Trust has difficulty seeing how these changes deliver more housing of better quality and they may work against the aims of introducing 'beauty' into housing construction.

**\* What is the impact of PDR on the ability of local authorities to plan development and shape their local communities?**

The changes may clash with other local plan aims to conserve Durham City's heritage. The scale and rapidity of city centre change outside of known approvals and large scale development is unplanned. Full Covid pandemic impacts have yet to be felt on retail provision, University student numbers and education delivery.

**\* Is the government right to argue that PDR supports business and economic growth?**

Generally the Trust also wishes for economic growth and successful businesses. However, its experience of leisure provision, as an example, is that much of this fails to generate local income and effectively siphons money out of the local economy into larger chains. There is local vitality, again with Covid impacts yet to be assessed. However, in some instances night use has overwhelmed the heritage characteristics of parts of the City and the WHS setting. It has tended towards drinking monoculture and has not encouraged diversity of use. Other large scale developments are in danger of also overwhelming the scale of the historic centre and setting. The Trust therefore considers there should be care in the degree of development and uncontrolled economic growth in sensitive areas. Changing PDR rights doesn't deal with the Trust's core issues with new development and might make them worse.

**\* What is the impact of PDR on the involvement of local communities in the planning process?**

The scope for local involvement is reduced, key local issues are by passed and the process is orientated away from Durham's local context. Change seems more centrally generated, based on the Government's own agenda with no sensitivity to countrywide variations in circumstances and is not accompanied by adequate analysis or information. For instance, it is a challenge to find a simple summary of the PDR changes implemented, how are local communities to be expected to become involved?

Possibly outside the Committee's evidence scope but an example relates to Article 4 Directions. Local control of student housing and changes to buildings in the central conservation area are highly valued locally and hard won. Weakening them, as proposed in the recent NPPF consultation, is directly against local community involvement.

**\* Should the government reform PDR? If so, how?**

There may be scope for reducing bureaucracy but much greater depth of analysis and substantially clearer understanding of impact on sensitive areas is required. Consultations have failed in presenting clear analysis of why the changes are needed and their anticipated impact.

The Trust would welcome change that deals with what it sees as Durham's key planning issues but PDR changes seem unlikely to resolve them and will probably make the problems worse.