

THE CITY OF DURHAM TRUST

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c/o Blackett, Hart & Pratt, LLP
Aire House
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Durham, DH1 1TH
28 May 2021

Dear Mr Dalby

DM/21/01611/FPA: Demolition of Existing Bingo Hall and erections of 1no. 4 Storey Purpose Built Student Accommodation with associated parking, and servicing facilities, Apollo Bingo, Front Street, New Durham, Durham DH1 2EP

The Board of Trustees of the City of Durham Trust considered this application at its Zoom meeting held on Tuesday 18 May 2021 and decided to object on the following grounds.

County Durham Plan Policy 16.2 requires that all proposals for new, extensions to, or conversions to, Purpose-Built Student Accommodation on sites not allocated for student accommodation, will be required to demonstrate that they meet several criteria, as follows.

(a) Need for additional student accommodation of this type in this location

The applicant has submitted a 'Meeting housing needs' statement to address this requirement. Unfortunately, it is woefully out-of-date and lacking a numerical demonstration of need. It uses 2017 data as its baseline for the number of Durham University students and asserts that Durham University wants to relocate students from the viaduct area of Durham City to purpose-built accommodation elsewhere in the City, and that this amounts to the relocation of some 3,000 student residents. Trustees are surprised by this representation of the University's thinking; relocating 3,000 students from the viaduct area has never been indicated by the University in public to our knowledge. The Planning Statement then itemises some of the PBSA developments that have happened or been approved since 2017. Without doing any sums, it concludes with the assertion that: *"there remains a clear shortage of bespoke student accommodation within Durham City and a need for additional purpose built student accommodation to be provided."*

The true figures from the published University Registry for February 2021 are that there are 19,368 full-time and 900 part-time Durham University students. To achieve the Masterplan target a further 2,200 places in round terms are required in the next five or six years.

Since February 2021 a total of 168 additional bed-spaces are about to be completed at The Three Tuns, and there are other approved planning applications now being implemented for student apartments such as Estate House in Saddler Street and the former Top Shop in Silver Street. An application to renew an approval for an 850 bed PBSA at Mount Oswald is awaiting determination. Over and above these schemes, six PBSA sites were put forward by the University for the County Durham Plan. Their total capacity declared at the County Plan EiP is between 2,100 and 3,200 beds. They are all approved as PBSA allocations in the County Durham Plan.

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Clearly there is far more student accommodation 'in the pipeline' than is required to meet the Masterplan target for 2026/27 and for continued growth of the University beyond that date if the University so intends. We would point out the Inspector's clear reservation in his report following the Examination in Public of the County Durham Plan; he cautioned against any further expansion once the University Masterplan target numbers have been met:

"261. However, whilst the Plan should be effective in accommodating the currently identified growth in student numbers, the limited size of the city and its particular physical and historic character mean that there may be limited capacity for further growth in the city in the longer term."

There is a second aspect of need which has to be addressed. This is the aspiration for between 50% and 55% of students to 'live-in' College and University-affiliated accommodation by 2026/27. PBSAs are 'living-out' accommodation and of no assistance in achieving the University's aspirations for at least 50% 'living-in' unless they are accepted as an affiliate of a College. For example, the University temporarily adopted Rushford Court PBSA as John Snow College, and New Kepier Court is currently part of University College. Unless most of proposed PBSAs are built and are acceptably configured to meet the University's requirements for affiliation, there will not be sufficient 'living-in' accommodation. However, the proposed PBSA at The Majestic site would not meet the requirement of demonstrating 'living-in' need as the University has told the applicant that it has no interest in taking any of the rooms.

On the matter of location, CDP paragraph 5.164 states an important consideration that residents of Durham city are keenly aware of: *"a PBSA, by its very nature, can house a large number of students. Whilst these forms of development are a distinct and separate form to HMOs, student populations returning to and from and accessing PBSA through a predominantly residential area can impact upon residential amenity. Cumulatively, alongside HMOs this can have an impact upon the character of an area. The policy therefore seeks to acknowledge the impact of student populations in a neighbourhood, for example the impact of comings and goings along primary access routes between PBSA and the town centre or a university campus."* A 138-bed PBSA on the Majestic site would be located in a primarily residential area and would lead to comings and goings along the primary road into Durham city centre where students frequent the drinking establishments until the early hours.

The Trust concludes that the applicant has failed the requirements of Policy 16.2 (a) to demonstrate a need for additional student accommodation of this type in this location.

(b) Consultation with the relevant education provider pursuant to the identified need

The applicant states that discussions have been sought with the Director of Durham University's Estates and Facilities Directorate, regarding the proposed purpose built student accommodation facility. The Director is said to have responded that, due to the ongoing Covid-19 pandemic, he is presently unable to provide comments on the proposed development. The applicant suggests that it may be taken that Durham University's stance regarding the proposed development is neutral, neither negative or positive. The County Council can rely upon the University's response, namely that it has no interest in taking any of the rooms.

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(c) Not result in a significant negative impact on retail, employment, leisure, tourism, housing or the council's regeneration objectives

The proposal involves the loss of the bingo hall which the Trust believes is much valued across a wide area as a leisure facility. It also represents a missed opportunity to use the site for affordable housing as encouraged by CDP Policy 15 and in the nearby Durham City Neighbourhood Plan Policy D3. As stated in CDP paragraph 5.144: *"New student accommodation should not be built at the expense of general housing as the council must address the need for new family and affordable housing"*.

e. The design and layout of the student accommodation and siting of individual uses within the overall development are appropriate to its location and in relation to adjacent neighbouring uses

With reference to County Durham Plan Policy 29 sections a, b and e the Trust considers that there are substantial failures in design.

a) *Positive contribution to area character, identity, and townscape. Reinforce local distinctiveness and sustainability.*

The area's character is largely of a two storey domestic scale, the adjacent flats being three storeys. Even the nearby Dragonville retail developments are of a modest height equating closely to the surrounding housing scale. The Majestic Cinema now former Apollo Bingo Hall is a 1930s building of modest brick elevations. It is heavily fragmented by entrance lobby blocks to the main road frontage and is set back into the site. The building is in the back corner of the site and its highest elevation is substantially away from the road clustering to the adjacent flats and, although bland in appearance, has a modest scale.

The proposal is to push the new building out to the road perimeters making it much more prominent. It then matches its height against the recessive ridge line of the Apollo Bingo building to achieve 4 storeys. This alone is very discordant in the area by height size and mass. The basic block formation is monolithic and, in order to make this less prominent, various elevation treatments and a short step back on the top floor are used. The approach is much more reminiscent of development found on office blocks or flats in large urban centres. It is completely out of character by scale and the elevation treatments are also heightened in impact by large 'box' features two and four storeys in height.

It is telling that the building proposal is not shown in relation to the surrounding townscape and flats. The proposal fails by being too high, too large and over-emphatically detailed for its surrounds. It will be unduly prominent and unnecessarily dominate the area. It therefore fails against CDP policy 29 a.

b) *Create buildings that are adaptable to social and economic conditions*

The building design is very much a product of the immediate economic situation. As a use it relates more closely to investment opportunity than any real need. In creating such a large block of student accommodation it adds little to, and in many ways harms, the social

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sustainability of the area. It brings nothing for the local residents. As a student dedicated use and design it locks out any further adaptations to other uses should economic circumstances change. There is substantial uncertainty over the demand for student accommodation in the future given economic impacts from the pandemic and the potential for different patterns of student education demand and provision. The building fails against CDP Policy 29 b by not being adaptable to social and economic conditions.

e) Minimise the impact of the development on occupants of nearby and adjacent properties

The large development and its use will have a substantial adverse impact on the adjacent flats and surrounding properties. It is overbearing in design and creates a use that is isolated from the local social structure and detracts from it. The development fails against CDP Policy 29 e by failing to minimise the impact of the development on occupants of nearby and adjacent properties.

g. The activities of the occupants of the development will not have an unacceptable impact upon the amenity of surrounding residents in itself or when considered alongside existing and approved student housing provision. Prior to occupation a management plan or draft outline management plan appropriate to the scale of the development shall be provided

As already mentioned above, the proposed location is in a primarily residential area and it would need strict management and operational plans to be agreed and applied if it is not to have an adverse impact upon the amenity of surrounding residents.

h. The quantity of cycle and car parking provided has regard to the council's Parking and Accessibility Guidelines

Paragraph 6.2.22 of the Planning Statement explains that the Planning Authority advised the applicant that a cycle storage rate of 1 space per 5 students was required. The County Plan Policy 21 refers to a Parking and Accessibility SPD which is in course of preparation. An "Issues and Options" consultation has taken place, but the draft appeared to be incomplete in various respects, including making no mention of the quantity of cycle parking required at purpose-built student accommodation. The adopted Parking and Accessibility Standards 2019 require cycle parking provision at a rate of 2 spaces per 5 bedrooms, as well as 1 visitor space per 10 bedrooms. The applicant's proposal for 30 spaces therefore falls short by about 40 spaces.

The Trust is concerned at the low rate given in the pre-application advice. The rate of 2 spaces per 5 bedrooms in the 2019 Standards accords with BREEAM recommendations and matches the approximately 40% rate of cycle ownership nationally. Given that Policy 21 states that "cycle parking or secure cycle storage should be provided to facilitate increased cycle ownership and use" it would be inappropriate to provide cycle parking at a rate that would not accommodate even current levels of cycle ownership. While it may be hard to determine local rates of cycle ownership, the Durham City cycle to work rate in the 2011 census was slightly higher than the national average, so there would appear to be no justification for reducing provision below the rate of 2 cycle spaces per 5 bedrooms.

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For all of the above reasons, the City of Durham Trust considers that the application should be refused.

Yours sincerely

John Lowe
Chair, City of Durham Trust