

THE CITY OF DURHAM TRUST

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2 January 2022

Mr Henry Jones
Planning Development Central/East
Room 4/86-102
County Hall
Durham City
DH1 5UL

Dear Mr Jones

DM/21/03574/OUT Land at Sniperley Park west of the A167 and north and south of the B6532 Durham: Demolition of existing buildings adjacent to B6532 and outline planning permission (all matters reserved except access) for a maximum of 1,550 dwellings (Use Class C3), a local Centre (use classes E and F2), public house (use class sui generis) and primary school (use class F1), associated infrastructure and landscaping.

Thank you for the opportunity to comment on the above application. The City of Durham Trust has been closely involved in the emergence of Sniperley Park as Site H5 in the approved County Durham Plan and especially in the independently examined and modified wording of Policy 5. For the avoidance of any doubt, the Trust fully supports the approved County Durham Plan's policies relating to the Sniperley Park housing allocation. It looks to the County Council to uphold those and all the other relevant policies of the County Durham Plan and the National Planning Policy Framework.

We emphasise this point because of the regrettable way in which the other green belt release for a 'sustainable urban extension' was dealt with recently by the County Planning Committee, namely Site H6 Sherburn Road, where key aspects of approved Policy 5 and indeed other Plan and NPPF policies were set aside as if they were someone else's undesirable obstacles to the development of the allocated site. It makes a mockery of consultation, independent Examination and carefully specified wording of the Plan's policies when, as in the Site H6 case, they are discarded at the very first planning application.

The Sniperley Park allocation has already received a planning application, from Bellway (DM/21/02360/FPA), for 370 dwellings on a part of the site. This was submitted on 1st July 2021 and remains outstanding. The Trust recommended refusal, noting that the application was clearly in breach of Policy 5 of the County Durham Plan by failing to provide a comprehensive masterplan for the whole of the Sniperley Park site. The County Durham Land LLP application is for 1,550 dwellings and is accompanied by many documents including an 'illustrative masterplan' for the area of Sniperley Park not within the Bellway application. The two together would amount to 1,920 dwellings. Most recently, Bellway have submitted an application for the conversion of Sniperley Farm to form four residential units.

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The Trust considers that the following matters constitute grounds for refusal of this application.

No comprehensive masterplan for Sniperley Park

Policy 5 of the County Durham Plan states that:

“Development is required to be comprehensively masterplanned and to demonstrate how the phasing of development on these sites will have regard to the provision and timing of the infrastructure and services necessary to support them.”

That is followed by a list of specific requirements, several of which were laid down as Major Modifications by the Examination in Public Inspector. Requirement (I) is worded exactly as he prescribed:

“(I). To ensure that there are no unacceptable impacts on highway safety or severe residual cumulative impacts on the wider road network (in terms of capacity and congestion), details of all necessary on- and off-site highway works and improvements, together with a timetable for their implementation, shall be agreed with the Council as part of the comprehensive masterplan and any future planning applications for the Sniperley Park site.” (emphasis added).

It could not be clearer that such a comprehensive masterplan with phasing is required to be agreed with the County Council before any particular planning application is considered. The two Bellway applications and the County Durham Land LLP are both blatantly premature. Only the County Council itself has produced the necessary comprehensive masterplan, currently as a draft for public consultation, for 1,700 houses across the whole allocation. The Trust considers that this is the correct way forward and that neither the Bellway nor the County Durham Land LLP applications should be entertained until a comprehensive masterplan demonstrating phasing for the whole of Sniperley Park site has been adopted, hopefully in a few months’ time.

That should be a sufficient ground for the applicant to withdraw or to agree to wait until DCC’s masterplan has been adopted. Failing that, the Trust has the following additional grounds for this application to be refused.

Number of dwellings

The fundamental importance of having a comprehensive masterplan before planning applications are considered is underlined by the breach of CDP Policy 5 being attempted by the Bellway and County Durham Land LLP applications. Policy 5 states unequivocally that ***“Development will comprise 1,700 houses at Sniperley Park”***. This is not a range of numbers or a whimsical indicative figure, it is a firmly prescribed quantity relating to all of the factors in play, including the capacity of the surrounding infrastructure. Yet the two current applications would together, if approved, provide 1,920 houses - 12% over the Policy 5 figure.

Much focus was placed in the Examination in Public on the capacity of the road network to cope with the 1,700 houses proposed by the County Council; indeed, the position taken by the County Council was that a Western Relief Road was needed if more than 350 houses were built at Sniperley. The Inspector in his Final Report dismissed this proposition, deleted reference to

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the relief roads, and instead included “other requirements that are necessary to ensure safe and suitable access to the Sniperley Park site and that the residual cumulative impacts on the wider road network are not severe.” He carried this through into Policy 5 requirement (l):

“These works and improvements shall include, but not be limited to:

- ***improvements at the junctions of Trout’s Lane, Potterhouse Lane and the B6532;***
- ***a new link between the B6532 and the A167 park and ride roundabout; and***
- ***capacity improvements along the A167 corridor from Neville’s Cross to Sniperley, including improvements to Sniperley Roundabout.***

A contribution to delivering sustainable transport in accordance with policies 21 (Delivering Sustainable Travel) and 22 (Durham City Transport) will also be required.”

It falls to the County Council to finalise whatever set of measures will be needed to ensure that 1,700 houses at Sniperley Park will not cause severe cumulative impacts on the wider road network. The risk of severe impacts would be made all the worse if the two current planning applications were to succeed and 1,920 houses were built at Sniperley. Both applications should be refused on this ground.

Sustainable travel issues

The only matter which is not reserved in this outline application, according to the application form, is Access. However, the application as it stands is only specific about access arrangements for motor traffic, which is exactly opposite to how the NPPF envisages priorities for design, also the Department for Transport’s Manual for Streets, and indeed the County Council itself in its ‘Durham City Sustainable Travel Delivery Plan’: consider pedestrians first, then cyclists, then public transport users, then specialist service vehicles, and finally consider other motor traffic last. Furthermore, the Transport for the North publication ‘Major Roads Report for the North of England’ really emphasises the points about reducing car usage and giving priority to pedestrians and cyclists. The examples we give below show that it would be perilous and neglectful to assume that all the sustainable travel access arrangements are mere details that can be worked out at the reserved matters stage.

Pedestrian and cycle access to the site

CDP Policy 5 (j) states that “***(j) in order to achieve sustainable and cohesive communities, the development must be connected to the existing development to the east of the A167 through suitable, convenient, safe and attractive cycleways and footpaths;***”. The pedestrian and cycle crossings of the A167 proposed in this planning application are:

- the uncontrolled road crossing at-grade (with new pedestrian refuge) where Framwellgate Moor Footpath 5 crosses to meet Woodbine Road
- uncontrolled at-grade crossings associated with the proposed A167 site access roundabout, close to the alignment of the former wagonway to Caterhouse Pit, part of which forms Framwellgate Moor Footpath 6.

The developer proposes a speed limit reduction for the A167 from the national speed limit to 40mph, but without more substantial changes to the road environment there is unlikely to be full compliance with this reduced limit. Foot and cycle access to Pity Me and Framwellgate Moor amenities and beyond is otherwise by the existing B6532, the narrow underpass on

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Framwellgate Moor Bridleway 4, and the at-grade crossings at the Pity Me and the Sniperley roundabouts. As presented, this leaves the A167 as a significant barrier to pedestrian and cycle use beyond the site.

The applicant's Environmental Statement, Volume 2, Chapter D addresses transport impacts arising from the development. Paragraphs D5.20 to D5.35 look at the effect on Severance, Pedestrian Delay, Pedestrian Amenity and on road accidents. In each case, the applicant argues that the projected increases in motor traffic are not sufficient to have a significant impact. This type of argument can only be valid in relation to current pedestrian users of the network. It is not sufficient for assessing the severance, delay and level of amenity which will be experienced by those who will be living in the new housing.

The application reserves all matters except access to future planning applications, but the appropriate access for walking and cycling has not been demonstrated in the application. The pedestrian and cycle network within that part of the site under the applicant's control has been outlined in the application. The extent of the network looks promising, but falls short of the requirements for a masterplan by not covering the whole site. Even so, the network as outlined would not be secured through this application and would be at risk of being downgraded in subsequent reserved matters applications.

CDP Policy 5(j) recognises that the cycleways and footways must be connected to the existing development east of the A167 to overcome the existing severance effect. The applicant has merely outlined a network which reaches as far as the existing crossings of the A167, but these crossings are inadequate as suitable, convenient, safe or attractive connections.

The 2014 Transport Initiatives report on Durham City Strategic Cycle Routes, commissioned by the County Council, included assessments of three roundabouts and two crossing points on the A167, expressly with a view to their suitability for serving the Sniperley Park site as proposed in the County Plan. The evaluation included statements such as

- Uncontrolled, high-speed roundabouts like this are hazardous and intimidating for cyclists (Sniperley roundabout, p. 17; Pity Me roundabout, p. 21)
- There is presently no direct, safe, convenient cycle route through this junction (Blackie Boy roundabout, p. 20)
- Current link paths are unsurfaced and inadequate for shared-use. The underpass ... is unlit and floods. (Underpass, p. 25)

While the document was not assessing the facilities from a pedestrian view point, it is clear that the same issues apply.

If we take the example of the provision of the at-grade crossing point of the A167 in drawing QD1793-01-59 and compare it with the LTN 1/20 guidance there are two main deficiencies. Firstly, for use by cycles the refuge should be a minimum of 3.0m deep (LTN 1/20 10.4.7), rather than the 2.0m shown in the drawings. Secondly for a 40mph limit road with traffic volumes in excess of 10,000 PCU LTN 1/20 requires at minimum a signalised crossing, but a grade-separated crossing is to be preferred (see Table 10-2, p. 100). According to DfT traffic

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counts, volumes are in excess of 30,000 PCU, and even at a 30mph speed limit LTN 1/20 would require a signalised crossing.

It is not clear whether the at-grade crossing point is intended to form part of a cycleway. The fact that this is unclear highlights the inadequacy of the application with regard to anything apart from motor vehicle access.

If the crossing is to be pedestrian only, there is no firm national guidance as to the types of crossing which are considered suitable, but it seems unreasonable to suppose that an uncontrolled crossing would be appropriate for pedestrians when it is not considered suitable for cyclists in this context.

The new roundabout designs submitted for the A167 site access roundabout and the enlargement of the A167 Park and Ride roundabout also fail to comply with LTN 1/20 for the cycle provision:

- Signalised or grade-separated crossings would be necessary for the traffic levels expected
- Not all the central refuges meet the minimum 3.0m depth.

Pedestrians would be left to attempt to cross dual-lane entry and exit arms unassisted.

Quality of pedestrian and cycle routes within the site

CDP Policy 21 sets out that developments should have regard to the County Durham Strategic Cycling and Walking Delivery Plan. The Delivery Plan refers to various guidance documents such as Manual for Streets, and anticipated the publication of LTN 1/20. Policy 21 is reinforced by CDP Policy 5 which states that *“both sites will incorporate convenient, safe and high quality bus, pedestrian and cycle routes within, and connecting to, adjoining facilities”*. For cycle routes to be judged high quality, they would need to comply with the latest national design guidance, LTN 1/20.

The design parameters used by the applicant are not made explicit, but from the plans submitted for the road junctions it is clear that they do not comply with the appropriate design guidance.

The 3.0m shared cycle/pedestrian paths shown in the submitted drawings do not adhere to LTN 1/20 which prefers separation of cycle and pedestrian infrastructure in urban environments. In the Durham City Local Cycling and Walking Infrastructure Plan (LCWIP) the B6532 through the site has been identified as requiring upgrading as a primary cycling route. CDP Policy 21 requires development to contribute, where possible *“to the development of a safe strategic cycling and walking network and in particular the routes set out in Local Cycling and Walking Infrastructure Plans”*. The Trust would therefore expect to see separated cycleways along the B6532, but there is no evidence that this has been considered in the relevant drawings, viz.:

- B6532 East-West link road (QD1793-01-54)
- B6532 Potterhouse Lane (QD1793-01-53)
- B6532 North-South link road (QD1793-01-56)

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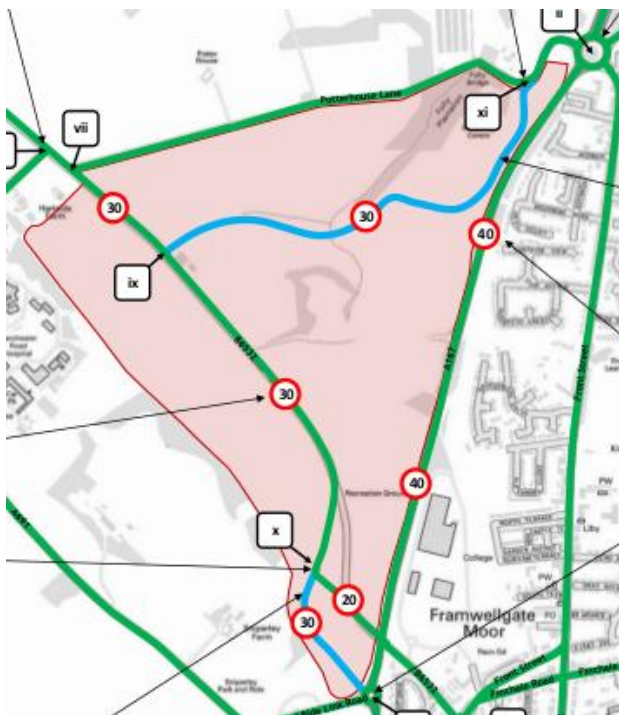
The 1.8m footways shown in the submitted drawings comply with the width requirement of the council's Highways Design Guide for Residential Development of November 2014, but this dimension has been superseded with the adoption of the County Durham Strategic Cycling and Walking Delivery Plan in 2019. The guidance recommended in the Delivery Plan requires a minimum of 2.0m footway width for "*lightly used streets*" with wider footways on main arteries and close to key facilities such as schools.

At none of the crossings shown in the plans do pedestrians or cyclists appear to have priority. NPPF para. 112(a) states that applications for development should "*give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas*". While it is possible to achieve this in other ways, for example by ensuring that pedestrian and cycle networks have better coverage and are more direct than the motor vehicle options, that has not been demonstrated with this application.

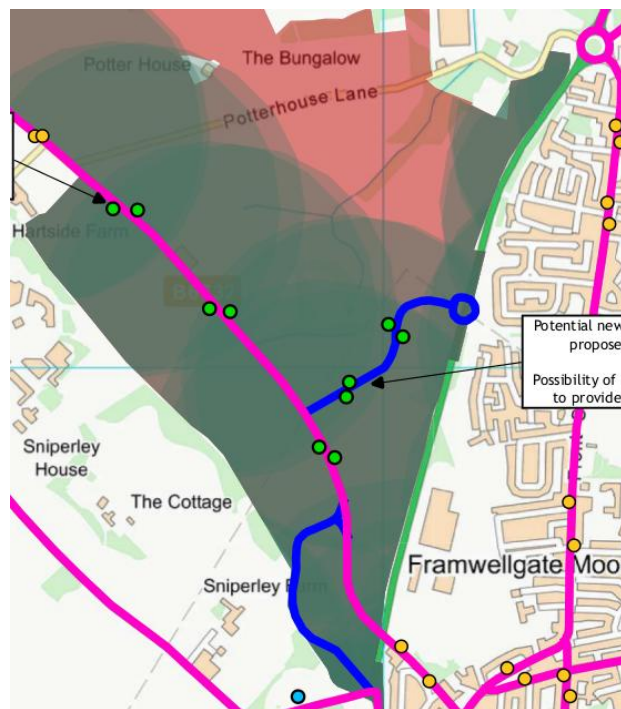
Bus access

NPPF para. 112(a) states that applications for development should, so far as possible, have "*layouts that maximise the catchment area for bus or other public transport services*".

In the applicant's evidence submitted to the Examination in Public of the County Durham Plan there was a proposed internal road layout which facilitated bus access, accompanied by a proposal for an extended Go North-East 20A bus from central Durham via the B6532, continuing through the site to the Pity Me roundabout and the Arnison Centre. The road layout proposed in 2019 brought a much larger proportion of the site within 400m of a bus stop compared to the layout outlined in this application.



From p. 410 of Co. Durham Land LLP Matter 5 Statement (County Durham Plan EiP) showing additional link roads in blue.



From p. 648 of Environmental Statement, Vol. 3, Ch. D, showing revised link road alignment and areas within 400m of a bus stop.

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The draft masterplan prepared by the County Council includes an additional link between the B6532 and the A691 which could further improve bus penetration of the site. The separate applications from Bellway and County Durham Land LLP have no such bus link. This underlines the need for a masterplan for the whole site which can optimise the bus accessibility.

Although the applicant has enclosed letters of support from local bus companies (p. 155-6, Environmental Statement, Volume 3, Chapter D), there is no mention of the previous proposals by Go North-East to extend the 20A bus route. The Environmental Statement also omits to mention that the letter from Arriva identifies a need for subsidy of new bus services for a period.

Framework Travel Plan

The applicant provides a framework travel plan starting at page 616 of the Environmental Statement, Volume 3, Chapter D. The initial modal share target for journeys made by driving a car or van is set at 69.2%, based on the Transport Assessment's use of TRICS data, with a target for reduction of 5 percentage points in the first 5 years, after which the Travel Plan would cease.

According to the Transport for the North Decarbonisation Plan a reduction of 3% per year is required in car miles for the next decade, which would equate to a reduction from 69.2% to 59.4% of journeys over five years, that is, a cut of around 10 percentage points. In reality the reduction in the number of journeys would need to be more severe in order to achieve the car miles reductions required, because longer journeys are harder to switch to sustainable modes.

The Trust has performed a sense-check of the initial modal share against the 2011 census travel to work data. Although the last available census data is now 10 years old, the National Travel Survey has shown a slight decline in car use up until 2019, the year before the Covid-19 pandemic, and so it is considered that estimating on the basis of the 2011 census is still appropriate.

Table 23 of the Transport Assessment (Environmental Statement, Vol. 3, Ch. D, p. 66) estimates the peak hour person trip generation by mode. This is for all journeys, not just travel to work. The breakdown in the census also includes those working from home and those not in employment, who will not be making work-related trips.

The 69.2% initial car/van trip share proposed is less than the car-based travel to work figure of 81.8% in the 2011 census for area E00171856, within which the site falls. While this reduction is welcome, the existing dispersed and isolated accommodation would be expected to be more car dependent than a properly designed housing development. By comparison, area E00105098, the Woodbine Road area of Framwellgate Moor, just the other side of the A167, had a car share of 67.3%. The other modal share figures in Table 23 are broadly comparable with the Woodbine Road census results. This suggests that, in terms of location, the modal share targets could be achieved, but socio-economic factors would pose a challenge. In the

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Woodbine Road area 25.9% of households had no car. This is less likely to be the case with residents moving to a new urban extension.

Even though the initial target could be challenging to meet, the Trust considers that the Travel Plan should aim for a lower starting target, reflecting the urgency of the climate emergency and the fact that the best time to get people to change their travel habits is when they move house. With the correct approach, this is achievable. For example, the DfT's Propensity to Cycle Tool suggests that the area could generate a travel to work share of 11% by bike (an increase from 1% at the 2011 census) if good cycleways are provided to key destinations. Policy 5 requires that the Travel Plan reduce reliance on the private car. Every effort should be made to realise CDP Policy 5's vision of a Sustainable Urban Extension.

There is a real risk that a new development, well-connected to the A167 and A691, will be more car-dependent than the existing communities in Framwellgate Moor. The Trust considers that the Travel Plan targets as they stand will be unachievable without a comprehensive masterplan which includes off-site improvements to radically improve active travel and public transport connectivity, and which includes a car parking and car-share strategy which is effective in reducing car ownership and shifting the balance towards sustainable transport.

In summary, the Travel Plan:

- should have a lower starting target for car/van use
- will need more ambitious targets for reducing carbon emissions in line with the Transport for the North Decarbonisation Plan
- should incorporate working from home as a mitigation, including hybrid working
- will require an annual travel plan survey which assesses the distance travelled, not just the mode, and is sophisticated enough to cope with a changing mixture of on-site and at-home working in a hybrid working environment
- will only succeed in the context of a comprehensive masterplan with transport planning at its heart.

Design issues (CDP Policy 29)

The application includes various design suggestions contained within the Design and Access Statement (DAAS). The Planning Statement notes *'all matters reserved with the exception of access, until specific building housebuilders and local centre occupiers are identified, the precise details of the development cannot be known'*. The applicant's submission also notes *'Development parameters have therefore been set for the outline planning application based on the comprehensive masterplan'*. These two positions are incompatible.

The NPPF recommended approach to design at this scale is to use a design code; the submitted DAAS does not achieve this. Use by the applicant of the 'Building for a Healthy Life' principles and self-marking performance against 'Building for Life' criteria do not constitute a coherent design code to enable high quality and coordinated development on the site. Meeting those principles is an aspiration without obvious delivery or illustration in the DAAS. The DAAS misleadingly refers to *'The creation of distinctive character zones, identified in the design code document'*. This 'design code' has not been found in the set of documents on the Portal.

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The various character and design suggestions in the DAAS are not comprehensively drawn together to guide the development to distinctiveness and high quality. There is very little justification given for selecting Brandon and Shincliffe Villages as 'local' existing townscape. Choosing Mount Oswald as an example is bizarre - this is recent, comprised of standard layouts and stock house types with no obvious distinctiveness and lacking character.

The developer's indicative masterplan demonstrates a cumulative failure by showing minimal differences between most development cells and extensive use of identical house types packaged together with no distinctiveness in layout. House types illustrated are standard with little to tie them to Durham or prove their character contribution. This combines with the potential for sub-division into separate house developers' parcels to offer no mechanism for delivering the design promises made in the DAAS. By contrast, the illustrations accompanying the National Design Guide and Code show just what can be achieved and highlight the failure of these proposals.

Other issues

- CDP Policy 5 (a) requires ***"a centrally located local centre which will act as the focus for community activity, including convenience retail provision for A1 floorspace and an allowance for A2, A3 and A4 units to facilitate a viable and vibrant community."*** The planning application illustrates the local centre as a one-stop shop and a café. A healthcare centre is mentioned as is further retail nearby but achieving this, particularly if the site is sub divided, remains unexplained. The schematic layout is poorly coordinated and fails to create the needed cluster.
- CDP Policy 5 (d) states that ***"a surface and foul water drainage management plan incorporating SuDS will be required with no further water draining into the Blackdene Burn. Where possible wider opportunities for improvement of local water quality should be explored;"*** The SuDS provision is shown as standing water; while being desirable, standing ponds are difficult to achieve and even more difficult to maintain. Proof is needed that they are practically achievable.
- The poultry farm to the immediate north of the site should be identified and dealt with as a constraint.

Accordingly, the Trust considers that the application by County Durham Land LLP needs to be withdrawn or refused and a new scheme drawn up that is compliant with all the applicable national and CDP policies. This can only be done once DCC has completed the current consultation and published the definitive masterplan for the whole H5 site for 1,700 dwellings.

Yours sincerely

John Lowe

John Lowe, Chair, City of Durham Trust