

THE CITY OF DURHAM TRUST

c/o Blakett, Hart & Pratt, LLP
Aire House
Mandale Business Park
Belmont
Durham, DH1 1TH
2 February 2022

Dear Mr Dalby,

DM/21/04311/FPA Blagdon Depot Frankland Lane Durham DH1 5TA

Demolition of 6no. existing industrial units and erection of 4no. commercial units (Use Class B2), with associated parking, landscaping, and boundary enclosures

The Trust wishes to object to this application based on the potential for the loss of low-cost commercial accommodation and community cultural provision (Rocking Horse Rehearsal Rooms), and the need for increased justification, quality, and detail of the landscaping for this Green Belt location. There are also implications potentially for traffic impact on Frankland Lane and a need to improve the access. If reassurance is given that the Rehearsal Rooms will be retained or, failing that, rehoused and the access and landscape proposals demonstrably improved, it would be prepared to reconsider its objection. In making this objection the Trust does not wish to deter the applicants from improving the site and would welcome the opportunity to support proposals that answer these key issues.

Context

This substantial site is in a key position within the Green Belt, the World Heritage Site inner setting and adjacent to part of the Durham City Neighbourhood Plan's (DCNP) Emerald Network of green spaces. The woodland area within the ownership and beside the proposal site is identified as part of a corridor and link to Hoppers Wood (G3.5 in the DCNP). The woodland is also part of the Area of High Landscape Value. Although much of the tree/shrub growth is self-seeded or grown-out hedging, it offers a significant contribution to the screening of both the Blagdon units and the adjacent sewage works. The biodiversity and screening value of this type of tree area, especially the northern tree block, is often underestimated. It has a role in separating the collection of commercial and industrial uses on this section of Frankland Lane from Crook Hall and the rural area towards Frankland Farm. Frankland Lane is the historic route to Finchale Abbey from the City and the WHS. The woodland setting also helps with views from the Sands and in preserving the character of that rural approach into the city. It offers some mitigation against the impact of the colder winter and hotter summer microclimate of this low-lying area.

The DCNP welcomes the possibility of improvement and redevelopment but only if it is appropriate to the Green Belt and overcomes any flood risk (it is in Flood Risk Zone 2). The site buildings and boundaries are in poor condition, and it is a detraction to its setting. It is an area of Green Belt identified for improvement by the DCNP. The combination of these factors leads to the need for exceptional quality and care in tackling the retention of trees and new landscape proposals. The sensitivity of the setting also needs a high-quality design solution for the new buildings.

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Access is along Framwelgate Waterside and Frankland Lane. The vehicle and pedestrian access, (predominantly within the applicant's ownership) merges with one of the adjacent Riverside Centre's entrances at the point where the footpath stops and the surface becomes joint use. The access road also serves the adjacent commercial premises. There is a lack of defined pedestrian crossing over the entrance. The Waterside will experience increased traffic from the Millburngate Centre as it completes. Frankland Lane forms the access to Crook Hall and that may experience increased traffic if the National Trust fulfils its proposal for the site. The Lane already acts as a key cycle and pedestrian way and is to be promoted as one of the pilgrimage/leisure routes related to the Northern Saints Trails (Visit County Durham). It provides a walking and cycle leisure and local through-route to Newton Hall and Brasside. There might be difficulty in access as far as the Depot due to intensive vehicle use. Use decreases from this point along the length of the Depot boundary as it serves only the sewage works and farm. If the use of the proposal site intensifies or involves larger vehicles, access can be compromised.

The site offers low-cost accommodation and is currently used by a creative industry - the Rocking Horse Rehearsal Rooms, offering one of the City's few rehearsal spaces. The Trust is aware that there has been substantial financial input and personal effort in establishing this facility and it considers this to be a valuable community resource. Evidence for this comes from comments on the planning portal from users, plus the petition '*Save Rocking Horse Rehearsal Rooms! Durham's musicians need a place to rehearse*' on change.org which at the time of writing has around 2,500 supporters. The DCNP requires replacement of community facilities if proposals cause their loss. This is the type of use that should be encouraged in Durham, particularly if accessible by vehicle and near to the city centre.

Proposal

The proposal is to clear the site and build new, basic commercial units. The building footprint increases substantially by approximately 25% and parking is intensified and more regimented adjacent to Frankland Lane. Current tenants will, presumably, be displaced. Increasing the size of the built area requires much greater attention to mitigation than is proposed. The rebuild is not of the high quality that should be required for the site. It is, however, recessive in design. The proposed improvement of the site is not sufficient offset to provide justification for the loss of the rehearsal rooms as a community facility. This is especially the case when the redevelopment process also unnecessarily exposes the site and fails to relandscape it to the required high quality.

Superficially, the tree survey and landscape plans seem to help with impact on the Green Belt and heritage setting. The ecological/biodiversity report, noted as submitted, was not on the planning portal when this objection was drafted. The site is particularly sensitive and needs clear and professionally researched solutions in dealing with existing trees and grown-out hedgerows. In common with many submissions, the landscape proposal fails to tie the tree survey to the final landscape plan by indicating trees that will be removed. In the absence of evidence to the contrary, the landscape proposals rely too much on clearance and replanting without convincing detailed site-analysis of the existing trees. This leads to a greater loss of screening and slow, more inadequate replacement than should be case. The fence/ivy solution is not as fast in developing as seems to be presented – ultimately this is a difficult solution to maintain and can lead to a rather discordant solid angular planting 'block,' unnatural in appearance in this context.

The otherwise sound Landscape and Visual Assessment places undue reliance on the landscape plan that the Trust considers inadequate. It does not provide proposal visualisations in respect of

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Frankland Lane and Footpath No. 2 to the rear. This leads to what the Trust believes to be under-representation of the impact of site clearance on those receptors and the pace at which replacement planting will become effective.

The area of screening woodland to the north of the site is also under-surveyed and assessed. It is in the site ownership and vital to screening. Mitigation planting in this area makes little sense as it already has extensive tree cover – what it needs is a management plan and action to conserve it. Overall, the landscape and ecology plan does not spring from the site but is imposed upon it. Biodiversity gain over loss is not demonstrated.

There is no accompanying report on traffic implications and there is potential for causing access difficulty. There is no contribution to improving the entrance area as part of an important leisure and access route for cyclists and pedestrians.

Comments

The DCNP places great emphasis on protecting the Green Belt and the creation of the Emerald Network that helps connect green spaces and support the Green Belt as it borders the city. Both are impacted upon by this development, and the proposals need refinement and greater detail to convince that their negative impact will be properly mitigated against. The Trust considers that weaknesses in the landscape proposals as submitted, and the extent of development, combine to harm openness and impact negatively on the Green Belt and WHS inner setting.

Rehousing vital tenants is needed to demonstrate public benefit. The site is in a sensitive area and this will help to offset any negative consequences of the redevelopment. If retention of the Rocking Horse Rehearsal Rooms is not possible in the existing accommodation or on site, it should be feasible to help arrange an alternative. Agreeing proposals that damage the cultural sector in the run up to decisions on Durham's year of culture bid is obviously counter-productive.

The high sensitivity of the location needs reflecting in much better site-researched landscape and ecological proposals and the current submitted plans should be rejected. New proposals should include:

- A full survey and analysis of the area to the north of the site and that adjacent to Frankland Cottage
- Clear presentation of trees and hedgerow proposed for removal accompanied by justification and fully explored retention where possible. A proposal for the retention of trees and hedgerow material is needed in much greater detail to avoid unnecessary clearance. Retention of multi-stem specimens and individual management should lead to greater screening value and avoidance of reduction in 'openness.'
- Analysis of impacts of surfacing, boundary fencing and flood storage (see applicant's flood risk assessment) on existing trees and avoidance of damage. In particular, the fence line and treatment should be adjusted to tree retention and impact minimised.
- Retention of suitable hedgerow species either as mature specimens or by management. It may be possible to lay short sections as a traditional hedge rather than removal. This will develop faster than any new planting.
- Site-sensitive new planting geared to actual planting conditions – based on more detailed analysis and in particular the scope for understory.
- A management plan covering the full site and woodland within the ownership, maximising screening value and biodiversity gain.

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The Trust is also concerned about the lack of information on traffic implications, the potential for increased access difficulty and failure to improve the pedestrian route across the entrance.

Policies

The Trust wishes to draw attention to planning policies that support its objection:

NPPF

Proposals affecting the Green Belt

Paragraph 149

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: - not have a greater impact on the openness of the Green Belt than the existing development. The Trust considers that the combination of tree and shrub loss, regimentation of parking and inadequate landscape proposals will lead to loss of openness in relation to Frankland Lane and Footpath No 2.

County Durham Plan

Policy 21 Delivering Sustainable Transport

The transport implications of development must be addressed as part of any planning application, where relevant this could include through Transport Assessments, Transport Statements and Travel Plans. All development shall deliver sustainable transport by:

b. providing appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new developments clearly link to existing services and facilities together with existing routes for the convenience of all users;

c. ensuring that any vehicular traffic generated by new development, following the implementation of sustainable transport measures, can be safely accommodated on the local and strategic highway network and does not cause an unacceptable increase in congestion or air pollution and that severe congestion can be overcome by appropriate transport improvements.

The Trust is concerned that the transport analysis is missing and necessary improvements for pedestrians at the entrance are not proposed. The potential remains for increased congestion.

Policy 29 Sustainable Design

All development proposals will be required to achieve well designed buildings and places having regard to supplementary planning documents and other local guidance documents where relevant, and: a. contribute positively to an area's character, identity, heritage significance, townscape and landscape features, helping to create and reinforce locally distinctive and sustainable communities.

Places and Spaces

Major development proposals and those which affect, or add to, the public realm should: m]2. convenient access is provided for all users whilst prioritising the needs of pedestrians, cyclists, public transport users, people with a range of disabilities, and emergency and service vehicles.

The Trust considers that the proposals do achieve the necessary positive contribution and convenient access with priority for pedestrians and others.

Durham City Neighbourhood Plan

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Policy S1: Sustainable Development Requirements of all Development and Redevelopment Sites Including all New Building, Renovations and Extensions

All development proposals should, where relevant and appropriate, demonstrate the following principles.

Promotion of economic well-being by:

b) Supporting the sustainability of existing businesses and promoting the vitality and viability of Our Neighbourhood;

Conservation, preservation, and enhancement of Our Neighbourhood by:

c) Harmonising with its context in terms of scale, layout, density, massing, height, materials, colour, and hard and soft landscaping;

d) Conserving the significance of the setting, character, local distinctiveness, important views, tranquillity and the contribution made to the sense of place by Our Neighbourhood's designated and non-designated heritage assets;

e) Protecting and enhancing the diversity of Our Neighbourhood's natural environment in terms of biodiversity / geodiversity, designated wildlife sites and protected species, seeking biodiversity net gain wherever possible.

The failure in basic design coupled with weak landscaping proposals causes failure against these requirements. The loss of the Rocking Horse Rehearsal Rooms would be a failure to support the sustainability of an existing business that promotes the cultural viability of the city.

Policy T1: Sustainable Transport Accessibility and Design

Development proposals should be supported by evidence of how they contribute to sustainable transport accessibility and design where appropriate.

Accessibility

Approach routes to the site, and access within the development should be accessible to all, giving the highest priority to walking, then cycling and public transport, and should meet the travel needs of people with mobility impairments.

Impact

Adverse transport impacts should be avoided where practicable. To mitigate adverse impacts, proposals should improve access by walking, cycling and public transport in the area around the development, and thereby contribute to modal shift towards sustainable transport.

The Trust considers that lack of improvements at the entrance, lack of adequate analysis and risk of increased congestion leads to the proposals failing against this Policy's requirements.

Policy C3: Protection of an Existing Community Facility

Development proposals which would result in the loss of a valued community facility for which there is demonstrable demand should make equivalent alternative provision within or adjacent to Our Neighbourhood

The Trust considers that this policy applies to the Rehearsal Rooms.

Policy H3: Our Neighbourhood Outside the Conservation Areas

Development proposals within Our Neighbourhood outside the Conservation Areas should, where appropriate, demonstrate an understanding of the area of the proposed development and its relationship to Our Neighbourhood as a whole.

Development proposals outside the Conservation Areas should take into account, and meet where appropriate and relevant to the area to which the proposal relates, the following requirements, by:

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- a) *sustaining and making a positive contribution to the character and distinctiveness of the area; and*
 - c) *using high quality design which contributes to the quality and character of the area; and*
 - d) *having scale, density, massing, form, layout, landscaping, and open spaces appropriate to the context and setting of the area; and*
 - e) *using materials and finishes appropriate to the context and setting of the area.*
- The basic quality of the building design and weak landscaping proposals fail against the design requirements of this policy.

Policy G3: Creation of the Emerald Network

An Emerald Network is identified, as shown on Proposals Map 3, which comprises sites of wildlife interest within Our Neighbourhood linked by public rights of way or pavements. This site is No.5. Hoppers Wood.

Proposals for the purpose of improving the biodiversity of sites in the Emerald Network will be supported. Proposals for the purpose of improving the amenity of sites in the Emerald Network, or for improving existing footpaths within or between these sites, or providing additional footpaths within or between these sites, particularly for improving accessibility for people with a disability, will be supported as long as they cause no significant harm to the biodiversity of these sites.

As presented, the landscape proposals could cause cumulative biodiversity harm especially to the woodland within the ownership and part of the Emerald Park Hoppers Wood corridor. Frankland Lane and Footpath No 2 are also negatively impacted.

Policy G4: Enhancing the Beneficial Use of the Green Belt

Proposals within the Green Belt land in the Sidegate and Frankland Lane area of Our Neighbourhood as shown in Proposals Map 4 for the purpose of improving access (particularly for people with disabilities), green corridors, landscape, or biodiversity, or for enhancing visual amenity, will be encouraged, and supported where such proposals:

- a) sustain, conserve, and enhance the inner bowl setting of the World Heritage Site, and the Durham City Conservation Area, and:*
- b) do not cause significant harm to the overall quality of the Green Belt environment, particularly its openness.*

The Trust strongly recommends that action is taken to ensure that minimal harm and full benefit from the proposal are achieved to justify this substantial development in the Green Belt. The Trust will maintain its objection until this is satisfactorily confirmed. It hopes that the applicant manages to tackle these issues and looks forward to being able to support a revised set of proposals.

Yours sincerely

John Lowe,
Chair, City of Durham Trust