

2 April 2024

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

Dear Mr France,

**DM/24/00149/FPA: Construction of purpose built student accommodation (Sui Generis) with associated car and cycle parking, pedestrian infrastructure and landscaping, land to the north west of Melbury Court, Old Dryburn Way, Durham DH1 5SE**

The Trust objects to the proposed purpose built student accommodation (PBSA) at Melbury Court. The development will have an impact upon the World Heritage Site and conservation area city setting that is not fully explained in the submission. The requirements of County Durham Plan (CDP) Policy 16.2 on PBSAs are not met because there is no clear analysis of need for student accommodation or evidence of consultation with the relevant education provider (the University) pursuant to need. The Trust's concerns on that matter relate to ensuring a secure basis for new PBSAs in line with CDP policy and minimising impact on residential areas and non student accommodation. There is a lack of assessment of parking impact and transport links.

### **Context**

There are three key contextual relationships: PBSAs - need and provision; heritage - the WHS inner setting and conservation area; and parking - impacts.

### **PBSAs**

The provision of student accommodation for the University continues to be a key issue for the City. PBSA proposals are still being submitted and the conversion of private residences to houses of multiple occupation (HMO) continues.

These matters are addressed in County Durham Plan Policy 16.2 which states 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 (a) that there is a need for additional student accommodation of this type in this location, and (b) consultation with the relevant education provider pursuant to the identified need.”***

Any assessment of need is necessarily based on a mix of current statistics and future projections. The latter can only be valid if drawn from the University's own forecasts. An assessment is submitted on behalf of the applicants, in which the University's projections are

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included but then set aside because they demonstrate that there not a need for more student accommodation. So the document then adopts an assumed growth rate. It gets this very wrong in paragraph 2.2 where it says that “*University (is) expecting the active student population to increase by 21,500 by 2027.*” Subsequently (paragraphs 3.18-3.21 & 4.9), it derives a growth rate of 2.94% annual increase in total student numbers, using the period 2014/15 to 2022/23. This conveniently ignores that fact that the University has declared the 2022/23 figure as a peak; the official statement explains:

*“The University exceeded this target (21,500 in 2026/27) for a short period of time due to the outrun of the A-level cycles in 2020 and 2021. Following the graduation of the 2020 intake, student numbers in 2023-2024 are 21,588 down from a peak of 22,219 in 2021-2022 and the expectation is to return on track to the overall target in the coming academic year 24/25 once the 2021 intake graduates.”*

The applicants would have received this statement if they had consulted the University in the terms required by CDP Policy 16.2(b). Indeed, the University has successfully continued to manage the numbers down towards the target of 21,500 and the total as at 31 December 2023 stood at 21,588. It is, frankly, absurd for the applicants’ Needs Assessment document to conclude in paragraph 3.21 “*Whilst the University expect to return to the overall target of 21,500 active students by 2027 as the larger intakes progress to graduation, this is optimistic in light of recent growth trends.*”

## Heritage

The immediate context is the Hospital, Ustinov College accommodation, care home, and Land Registry. All sit within the WHS inner setting, and an immediate skyline is formed from trees and the hospital buildings. When viewed across the City from the south east the hospital is particularly visible and seen against a distant skyline formed by rising ground to the north. See the photograph below – taken from below the reservoir adjacent to the University Mount Joy complex, this is one of the notable viewpoints identified in the current WHS Management Plan .



The light coloured elements of the roof and upper elevations of the hospital add to their prominence significantly. The Grade II listed obelisk (Obelisk Lane) is also caught in this view. There is therefore potential for the proposed PBSA becoming visually tangled with the hospital that has a negative impact in cross views over the City and WHS. This would represent cumulative negative impact. There is also potential for an exacerbating factor by addition to the current collection of larger buildings around the site that fail to have a positive impact on the conservation area.

The local cross sections submitted do not show the relationship with the hospital and views from the south east are referenced but their impact is not fully taken into account. There

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remains a need to identify whether the proposed block sits below the hospital and how it protrudes into views. The height should not exceed that of the hospital and if below it, then design measures are needed to avoid prominence. The detailed visual analysis fails to inform in relation to the key view identified in the Trust's photograph. As proposed, the light coloured blockwork and potentially reflective bronze detailing together with 'reflective' windows have the potential for increasing visual prominence. As a general requirement the building should be required to be 'recessive' to limit cumulative impact together with the surrounding buildings as a negative local and viewpoint impact.

The University Hospital of North Durham has a restaurant for the use of staff and visitors with panoramic windows designed to give a view of Durham Cathedral. Brackenbury, actually now part of St Mary's College, is visible on the left as indicated by the down arrow:



Melbury Court Care Home is highlighted in this image:





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It will be seen that the care home sits in the direct line of sight of the Cathedral, but below it, and the roof (which is artificial slate) tends to merge with the trees behind, at least in winter.

The care home was approved in 2006 by the former Durham District Council, and the details are on the planning portal under reference 4/06/00877/FPA. From the plans we learn that the entrance is 101.8m above sea level, and that the main ridge of the roof rises 8.2m so it sits at 110m above sea level.

The site plan for the proposed PBSA shows a height above sea level of 104.77m at ground floor level. This is 3 metres higher than the care home. The parapet is 15.3m above ground floor level, so placing the top of the proposed building at a height of 120m above sea level. The applicant's *Proposed Street Scenes* illustrates this very clearly, and measurements taken from the upper drawing (Proposed Street Scene – Melbury Court Care Home) confirm the differences.

The lower drawing (Proposed Street Scene – Brackenbury, Ustinov College) shows that the proposed PBSA stands slightly higher (we measured 1.5m) than Brackenbury. As both buildings are the same distance from the viewpoint, comparisons are possible. Brackenbury is just below the skyline, so **the proposed PBSA will block the view of all of the Cathedral except the very top of the crossing tower**. The western towers and the roof would disappear from view.

As reassurance is not fully given within the submission and the materials proposals work against creating a recessive building, they fail to meet the requirements of the CDP. The specific failures are – **CDP Policy 29** Sustainable Design- section **a**. fails to provide positive contribution to the area's heritage significance, and **Policy 44** Conservation Areas - section **f** understanding and respect for setting and **h** reinforcing positive characteristics, height. The site is within the area covered by the **City of Durham Neighbourhood Plan** and the proposals also fail against **Policy HI WHS** – section **c** materials appropriate to setting **e and f** setting and views, **Policy H2 Durham City Conservation Area** section **g** protecting views, **j** materials, **l** cumulative impact.

## Car Parking

The Trust is supportive of efforts to reduce student car use: the limited car parking to be provided for PBSA residents is welcomed in principle. The Trust considers this is in line with the Parking and Accessibility SPD because neighbouring streets are either in the Controlled Parking Zone (e.g. Old Dryburn Way, Dryburn Hill) or have on-street parking prohibited through double-yellow lines (Dryburn Road, High Carr Road). Nevertheless, some students are known to keep cars in Durham, even when there is no provision for parking at their accommodation, and this is more likely with a site which is further from the University than most other student accommodation.

Coupled with the loss of the privately-run car parking, which helps to serve the Hospital and other local employment sites, there will undoubtedly be an increased pressure on the on-street parking within North End and Old Dryburn Way especially. The previous application for a three-year extension of the use of the land as a temporary car park, approved in 2017, noted that "significant over-demand for parking spaces has caused traffic safety problems in the past in this location" and the application sought to alleviate this. The Transport Statement of the current application, para. 3.5.2, anticipates that current users of the car park are likely to make use of the Sniperley/Belmont Park and Ride bus service in future, but this is speculation.

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The Trust considers that more analysis of the impact of removing the existing car park is required. This could take into account any changes in management of the other car park facilities, and the Hospital travel plan. It should be noted that this private car park remains identified in current information distributed to patients. Avoiding harm to amenity will depend on good enforcement of the parking controls, and according to evidence from local residents this appears already to be inadequate.

Moreover, the introduction of a large body of students into this area has the potential for increasing traffic through term time deliveries to students living in the PBSA, taxi trips, and move in/out timing. While the Transport Statement Appendix D includes trip generation estimates, the Trust notes that, in two of the four survey sites selected, any servicing vehicles were excluded from the count. Assessment of this potential impact is needed along with identification of any control measures required.

## **Cycle Parking**

The submitted plans show 200 double-height cycle parking spaces located in the basement of the building, a rate of provision stated on the plan to be 70% but in fact only 62%. Providing the storage within the basement, with internal stair and lift access to the other floors is a good approach and takes advantage of the topography.

Paragraph 3.13 of the Parking and Accessibility SPD requires 5% of cycle spaces to be “suitable for use by people with 3-wheel or adapted cycles”. The Trust suggests that an area of double-height cycle racks near the external door should be removed, and that stands suitable for non-standard cycles be provided there.

Providing some visitor cycle parking near the pedestrian entrances would be ideal. Unfortunately, the requirement in the 2019 Parking and Accessibility Standards appears to have been dropped from the latest SPD.

There should be more direct access from the storage area via a path to Southfield Way, allowing cyclists to avoid negotiating the two roundabouts.

## **Transport Statement**

The Transport Statement is superficial in its assessment of cycling and walking accessibility and is misleading by what it leaves unsaid. For example, para. 3.2.3 states that “the majority of Durham city centre” can be accessed within a 2km catchment of the site. In fact, Durham city centre is just within a 2km walk, and the statement neglects to mention that the majority of Durham University's academic buildings lie outside the 2km range, with the Bill Bryson Library, for example, being 3.1km distant.

The Trust particularly takes issue with the statement that “the local cycle environment is considered to be accessible by all users regardless of age or disabilities” (para. 3.9.1). In fact, there is very little local cycle infrastructure which would match this description.

While these sustainable transport deficiencies would also apply were the site to be proposed for apartments or other non-student dwellings, by comparison with the PBSA sites allocated in Policy 16, this proposal is poorly connected to the university and unlikely to compete well with existing accommodation.

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The Transport Statement has not really addressed the basic levels of accessibility. DCNP Policy T1 requires that “approach routes to the site ... 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”, and that to mitigate adverse impacts “proposals should improve access by walking, cycling and public transport in the area around the development”. The Trust would wish to see, at a minimum, a demonstration of the accessibility of walking routes to the main roads and bus stops, and an assessment of compliance with LTN 1/20 of the cycle routes approaching the site. For example:

- Is the nearest bus stop to the city, on the far side of the B6532, accessible by wheelchair, and with a suitable crossing point with dropped kerbs? (It is not.)
- How far do the junctions and routes which a cyclist would use to approach the development conform with LTN 1/20? (They are very far from conforming.)

Measures to address these could include funding footway and crossing improvements on the B6532, and creating better path connections from the pedestrian entrances and cycle storage to Southfield Way and Old Dryburn Way.

From the Design and Access Statement, sections 4.1 to 4.3, it is clear that the main pedestrian access will be from an entrance close to the A691 roundabout. It is not clear why the main pedestrian access is on the west side of the building, with a path turning north, heading away from the city centre and University, to join the highway by the roundabout. Surely the majority of students would be heading east towards the B6532 bus stops via Old Dryburn Way and the footpath link north of Boste Crescent? Yet the courtyard access which faces this way will be locked after 6pm (DAS para. 4.3).

Overall, the accessibility of the site both in local terms and in the wider relation to the city and University, has not been adequately considered or demonstrated, and several aspects of the design could be improved.

## **Conclusion**

The Trust therefore objects on the basis of these identified policy failures.

Yours sincerely

John Lowe  
Chair, City of Durham Trust