

29th April 2024

Ms Louisa Ollivere
Planning Development Central/East
Room 4/86-102
County Hall
Durham City
DH1 5UL

Dear Ms Ollivere,

DM/24/00705/FPA Prince Bishops Shopping Centre High Street Durham

Redevelopment of existing shopping centre comprising partial demolition of the shopping centre above the existing mall level (Levels 5 and above) and erection of replacement commercial units (Class E), a hotel (Class C1) and purpose built student accommodation (Sui Generis) at Level 5 and above, along with a new outdoor public square and public realm improvements. External alterations to the boat repair and maintenance workshop including use of external areas to create outside terraces for leisure use (Levels 0 and 1) (Class E), external alterations to the elevations of the retained areas of the shopping centre and car park, hard and soft landscaping, and other associated works.

The Trust fully understands the need for this redevelopment but has a range of concerns that the applicant should address. These relate to design and scope for improvement and the justification and scope for sustainability of proposed uses. It also has detailed points that should be dealt with that relate to sustainable transport and access. The majority of these comments have been made directly to the applicant during the last consultation session. The point in making these is that the development occupies a very substantial tranche of the City centre and will be of significant impact. It fully needs to demonstrate within the constraints of the existing development that all steps have been taken to create a high quality development that Durham as a historic city deserves. The Trust is aware of other weaknesses in the support information but has chosen to highlight, use, design, and transport.

1. Uses

1.1. Purpose Built Student Accommodation (PBSA)

The Trust does not take issue with the underlying principle of introducing a PBSA into the upper storeys of the development. It notes that the Durham City Neighbourhood Plan supports in principle the provision of residential accommodation above town centre shops. The Trust therefore supports PBSAs in suitable locations as a means for providing quality accommodation for students and for resisting the loss of family homes to student HMOs.

However, the application includes a 'Bedspace assessment' document and this is out-of-date and misleading. The point in requesting reassurance that the justification for a PBSA is well founded is to prevent an erroneous interpretation of Durham's student accommodation needs that is founded on plainly wrong assumptions.

The submitted Assessment makes an assessment of demand by projecting the growth in student numbers based on the annual figures up to the Academic Year 2020/21 when there were 22,220 Durham University students. At the extreme, this past growth rate approach arrives at 33,150 students

THE CITY OF DURHAM TRUST

in the year 2027/28. On that basis, the document arrives at a need for between 3,830 and 10,480 more student bedspaces.

However, 2020/21 was the unplanned bulge year arising from the lockdown 'A' level difficulties, and the number of students that year was significantly above the University's adopted target of 21,500 students for the year 2026/27. The University publicly declared that it would manage numbers down to 21,500 and has succeeded in doing so; the figure for the Academic Year 2023/24 is 21,588 which is only 88 more than the target for the year 2026/27. The University is clear in its strategy - stability at 21,500 from now on.

The document concludes on need that "*Within this context, it is considered necessary to place greater weight on the past trends analysis when assessing future demand.*" That is a grossly mistaken view, depends upon ignoring recent student numbers, and results in the bedspace assessment of demand being fundamentally wrong. The fact is that there is no quantitative need for more student bedspaces.

Comparisons are made with other University cities, leading to the comment that the student population of Durham is relatively small. This is a deceptive view as Durham's resident population is very small compared with the other cities used in the comparison; in fact, Durham has the most students per head of resident population of all University cities in England. This is particularly true of the historic core of the City.

The document then goes on to assess supply. The approach taken is to record in February 2024 the total potential pipeline supply of beds spaces in new PBSAs from a base year of 2021/22. The supply is estimated to comprise of to 1,272 bedspaces, or 1,147 allowing a 10% lapse rate. The potential projected "need" for between 3,830 and 10, 480 more student bedspaces inevitably is far greater than the estimated pipeline supply of 1,147 PBSA bedspaces. Thus, the document concludes that there will be a shortfall of between 2,683 and 9,333 student bedspaces.

The so-called shortfall is constructed from the false projection of growth in student numbers despite the University's successful reduction down to stability at around 21,500 students in future. There is more than sufficient accommodation already. The Trust objects to such a "shortfall" being put forward. It needs to be dismissed or it will reappear when other PBSA schemes are submitted.

The student experience offered by the studio room system with amenity space away from the bedrooms is significantly worse than that where communal space is provided on a dispersed group arrangement. There are only 50 cluster units with shared living space. The terrace areas are reserved for maintenance only and the amenity space (assumed for PBSA use) is located on levels 5 and 6 serving the Leazes Road and Riverfront blocks only. These spaces will be a substantial distance from many of the bed units. It would appear to be possible to provide more cluster flats, which, aside from the immediate benefits to student well-being, would have the advantage that they are easier to repurpose into apartments for longer-term residents in the future without further extensive rebuilding.

The Trust poses the question of whether there is fluidity in the amount of PBSA vs hotel accommodation given the proximity of the corridor access. The layout submitted is very detailed and the Trust also questions whether there will be further change when an operator is selected.

It is unclear which market segment will be provided for by the submitted arrangement. The Trust is concerned that it lacks sufficient inbuilt flexibility to cope with changing patterns in the University's student population. The Trust therefore suggests reconsideration of this aspect of the design.

THE CITY OF DURHAM TRUST

1.2. Hotel

The type of hotel proposed has no shared space, providing book-in and rooms only as a service. Drop-off space for visitors is very limited. This may be a model for larger city centres but there is no analysis offered of why this could work in Durham. The Trust also notes that the operator has yet to be selected and questions whether further change might emerge.

1.3. Retail

The current retail environment is recognised as a major driver for the proposals in this application. The concern is whether during the extensive demolition and construction operations the retail providers wishing to continue in the new development will suffer loss of business and cease trading during any relocation. County Durham Plan (CDP) Policy 16 also requires no significant negative impact on leisure. The Trust has seen the extent of the mostly unplanned new leisure provision in the Riverwalk and Milburngate redevelopments and historic streets. It is concerned that the retail may switch to leisure uses in competition with the historic streets' increased leisure provision and that of the two new developments causing overprovision and business loss. CDP Policy 9 accepts non-retail uses within Primary Shopping Areas "where they preserve the vitality and viability of the Primary Shopping Areas". The Environmental Statement addresses these issues in paragraphs G5.68 to G5.76. Paragraph G5.72 notes that independent retailers require smaller floorplates than those that are currently provided. The Environment Statement makes no comment on the needs of larger chain retailers. Following the redevelopment of Riverwalk and the loss of the former Marks and Spencer building, there are now very few retail spaces suitable for larger stores in Durham City. The Trust is concerned that the elimination of the larger units in the current Prince Bishops centre will, rather than revitalise the city centre, instead sound the death knell of Durham City as a Sub Regional Centre to be protected and enhanced in accordance with Policy 9.

The developers have made statements in various presentations to interested parties regarding the viability of the current retail units, but the application does not include financial data of the sort that would allow the Planning Authority or decision-makers to judge whether the proposals are a proportionate response to changing market conditions, or in fact a scheme which maximises income for the owners at the expense of harming the city centre's function at the top of the retail hierarchy. There will need to be support for key retail providers to ensure that they do not seek premises elsewhere during what is going to be a protracted construction period.

1.4. Boat Store

The Prince Bishop river cruiser and Browns rowing boat hire and are seen as a long standing component of Durham's traditional visitor offer. Is this use prejudiced by what appears to be a proposal to convert the boat store to leisure use? There is no indication of the operators' response to these changes and the Trust would be concerned at the loss of boat cruises and hire.

2. Design

In general, the new design approach has some sensitivity to its very prominent location that has a significant impact on the City's core and its approaches. However, there are areas of concern that the Trust considers would benefit from further detailing.

2.1. Riverside

The success of the Riverwalk river frontage, even if over-dominant and discordant, was in its roofscape including pitched roofs, particularly in more distant views. While the existing Prince Bishops frontage is an unsuccessful attempt to relate to Durham's roofscape, it at least offered a varied roofscape visible from many viewpoints.

There is scope in relation to local design influences for further refinement. While the current proposal is an improvement over the existing, the regularity of the riverside block arrangement works against the organic grain of the City centre. The 'blockiness' it creates works against other parts of the design. A particular feature of the buildings that back onto the river frontages in the City centre was the

THE CITY OF DURHAM TRUST

introduction of oriel windows. Use of these in a contemporary approach might well be a route to introducing a greater element of irregularity and a response to the local context.

Riverwalk drew on the influence of Durham's tradition of gabled houses. The move within the new proposals to incorporate this influence is therefore welcome. Generally, the scale and detailing proposed work well. The burgage plot layout for central Durham is referenced in the Design and Access Statement. However, in Durham, the principal facades were close packed in a continuous frontage to maximise street presence leaving the rear of the plots to develop in a more organic manner. This especially applied to those rear areas dropping down to meet the river. The design approach chosen for the Leazes Road section reverses this – closing the Leazes Road frontage and opening the interior street with breaks by height, and the introduction of gable ends and terraces. The river frontage would have benefited more from this approach.

Given the traditional and local references used as an influence on the Leazes block, it is not clear why the river frontage is then selected for a 'modern' approach. It results in the discordant regularity in the block arrangement gaining more emphasis. The river frontage is most important because of its presence in views across the river and to the WHS.

On this riverside frontage, the junction between the three-story pitched element next to the new open space and its flat-roofed neighbour does not work well and the two blocks need to be separated visually. The slight reduction of the stair tower and toning down of the cladding reduces impact but use of the zinc standing seam cladding draws too much attention as a contrast against the brick detailing adjacent. Notwithstanding the dull grey colour, the Trust questions whether more harmonious and recessive treatments could still be considered.

The western block is in a very prominent corner position commanding the approach down the A690, terminating the elevation from Old Elvet Bridge, and turning the corner from New Elvet Bridge. It is monolithic and needs more work to break this down by fragmentation of roofscape and elevation detailing. It is a weak solution to terminating this façade and linking to the Leazes Road façade. Although not desirable for repetition, the existing tower solution does at least achieve the corner transition. It provides a visual 'turning point' and focus between the Leazes Road and River elevations.

There is a complex elevation arrangement around the riverside service entrance including a remnant of the William Whitfield building. The Trust considers this a very important section of the building defining the riverside space and its relationship to Elvet Bridge and needs further careful detailing. Although not wholly under Citrus Group's control, the riverside space landscaping needs a holistic solution that will stand up to the pressures of vehicle use and work as an historically appropriate pedestrian attraction.

The proposal to 'green' the lower riverside elevation is a positive suggestion, subject to its appropriate management.

The proposals for the Leazes Road elevation with the introduction of windows and pitched roofs help to break up this dull frontage. It is appreciated that service and car park entrances are difficult to improve in scale. Noting that further design work is proposed, the Trust suggests that the interior finishes of the service entrances and interior lighting could form part of this design to minimise external impact. The stairs and lift tower are also difficult to deal with. Removing the pitched roof may reduce height but it leaves the tower as a discordant 'blocky' element in the elevation. There are good examples of influences and the proposed brick detailing of the key elevations of this tower would benefit from more detailed attention to draw the tower into the elevation and make it more recessive.

The proposal to remove the lean-to units on the entrance from the Market Place is an improvement. The retention of the Market Place Boots frontage is welcome and the wrap around into the High Street together with the new windows helps enliven the side façade. The Trust remains concerned that the façade will not match the quality of the Boots main frontage and the new High Street. Actual treatment

THE CITY OF DURHAM TRUST

is unclear for the proposal. The Trust suggests that this needs further attention. The current Boots ground floor shopfront works as against the building, and it is disappointing to see similar proposals within the application. This requires detailed attention to ensure it complements the styling of the main Boots upper frontage. The store front is a key component of the Market Place as Durham's premier central focus.

The use of solar panels may be welcome but detailing of them to fit seamlessly with a slate roof needs care in any subsequent detailing to avoid undue prominence.

3. Lighting Strategy

The strategy deals well with the public realm and much of the elevations. The Trust considers that more is needed for the riverside stair tower where the open staircase is a considerable intrusion in a panoramic view including the Castle. The car park lighting also intrudes and lighting or screening to the front elevation needs to be more sympathetic to this sensitive frontage. While external lighting is dealt with, the studio bedroom windows are substantial in size and will create substantial intrusion. Attention to their interior lighting and curtaining/blinds would help to minimise this. This is the same for the service access on the riverside. It is not sufficiently clear how the impact and mitigation noted in the Illumination impact profile will function as this will be subsequent to further detailing. The riverside frontage needs detailed and convincing detailing. As noted above, the vehicle accesses and internal lighting off Leazes Road would benefit from attention to reduce impact.

4. Transport

4.1. Car park

There is a significant weakness because of the lack of an explanation as to who will be using the car park in future and implications of any reduction in spaces available at peak times for the general public. The application suggests that the hotel (Transport Statement 7.2.3) and the PBSA will be mostly car-free, but with the car park being almost empty overnight, it seems possible that the operator would seek to offer car park spaces to hotel and to PBSA residents. The Trust would wish to see a planning condition barring the offering of car parking spaces to any PBSA resident who does not also have a permit to use University car parking facilities. The University limits student parking permits to those with a medical or educational need to use a car.

The Transport Statement also fails to assess the change in a meaningful way. There are currently retail units and offices attracting shoppers and employees to travel. This does not seem to be factored in when considering the trip generation of the new proposals. It is very unclear whether trips will be increased or reduced by the changes, as the Transport Statement does not quantify the trips generated by the current use of the site. Some of the figures lack credibility: it is inconceivable that a basic hotel without bar or restaurant could employ 84 staff, for example. This high number is contradicted in the submitted economic statement that identifies 25 full time equivalent jobs.

4.2. Access

Widening of access onto the roundabout probably improves vehicle access but will make pedestrian use of the crossing to access the Milburngate Bridge road harder. The use of the existing path for a loading bay, existing difficulties for pedestrians crossing the car park and service entrances and the queuing of vehicles will combine to make this very pedestrian unfriendly. This area needs to take account of pedestrian access as well noting that it is also to become a principal PBSA entrance.

Two parking bays just off the Leazes Road roundabout are described as "drop-off". It is useful that the car park will be used for the start/end of year, but it is questionable how these two proposed "drop-off" bays would be used, and the Trust would prefer to see these omitted. Taxi parking is already an issue, and these may become part of that problem. The way the hotel pick and drop off will function is of concern to the Trust. The Market Place is currently becoming over exploited for night time parking,

THE CITY OF DURHAM TRUST

particularly from takeaway delivery drivers, and it seems more likely that taxis will use this to service the hotel.

The Trust does not find that the assessment of cycling access or the relationship to the LCWIP is convincing. Positive points are selected but are superficial and there is inadequate assessment of the quality of the existing access, which is very poor. They have not identified LCWIP routes required for development nearby.

By reconfiguring the retail units on the river side and placing student flats around the outer perimeter, the retail servicing corridors are lost. The swept path analysis for a fire tender shows that High Street access would be possible from Saddler Street to also service the retail units or, more likely, make takeaway deliveries. The Trust suggest that both planning conditions and subsequent management action are needed to prevent this.

4.3. Cycle Parking

The cycle parking is poor. It does not meet the Parking and Accessibility SPD requirements (they are incorrectly referred to, falling about 250 short). The secure cycle parking will not work as designed because the double-deck racks are tightly placed without leaving room to get bikes in or out. There is no provision for non-standard cycles. This is contrary to Durham City Neighbourhood Plan (DCNP) Policy T3 which requires cycle storage spaces to be adaptable, if possible, to storing other types of mobility aid. Note that the policy also requires making electric power available for charging.

DCNP Policy T1 states that “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”. The location of the secure cycle parking is remote from any roads attractive to cycle on. Access is either to the riverbank (a section where cycling is not permitted) or to the Leazes Bowl roundabout via the car park access. This is unacceptable. The short-stay parking by Leazes Bowl roundabout is also badly located, with no safe cycle access to it. The safety of access should be based on the objective assessment of facilities as required by LTN 1/20, not upon the history of collisions in the area which do not take into account either the significant change of use or the suppression of demand caused by current traffic levels and facilities. The “Masterplan Level 3” drawing labels these outside spaces as “24 short-stay hotel cycle stands”. This is not suitable for hotel accommodation, particularly in a city centre: such provision should also be secure, as is required by the Parking and Accessibility SPD.

There is no acknowledgement that a mixture of users (students, hotel and retail staff, and hotel guests) would need the secure long-stay cycle parking. These users are not entirely compatible, and different facilities would be preferable. There needs to be a clear plan for managing the cycle parking, as required by DCNP Policy T3(b), and it should be located appropriate to the different uses. The short-stay cycle provision mainly relates to retail and should therefore be easily accessible from the Market Place.

The Trust’s preferred provision would involve:

- Long-stay cycle parking provided in a facility just off the High Street, near to the hotel, perhaps round the back of a retail unit. Probably separate facilities for PBSA, for hotel guests/staff, and for retail staff.
- A retail unit adjacent with reduced rent guaranteed by the operator to house a bike shop, including repair service: this would be the most positive thing the operator could do for cycling in Durham.
- Short-stay cycle racks in small groups spread along the length of High Street (about 26 spaces would be the level of provision required by the SPD). This would allow people to wheel their bikes and lock up near to the shops they want to visit. Racks could be positioned adjacent to seating, planters, etc.

THE CITY OF DURHAM TRUST

The Trust does not accept the applicant's argument (Planning and Economic Statement para. 6.26) that the lack of cycle parking provision in the current site justifies the new development not meeting the SPD requirements either. The site is very large by Durham standards, and this could be accommodated. The poor cycle parking and access proposals indicate that sustainable transport has not been to the fore in the design process.

4.4. Travel Plan

This repeats much of the Transport Statement analysis with similar issues. It includes an outline Travel Plan which is generic. There is no justification of how initial targets will be set, or how this ties in with local or national policy, e.g. decarbonisation targets and targets for walking/cycling journeys. There is minimal inclusion of the local context. There is no exploration of how this development can actually facilitate a change of travel habits. The development is a key central location of some size and needs to play a wider role.

The main gaps are:

- There is no full assessment of the relationship of the car park to the development. For example, will students be able to rent a space in the car park? Will hotel guests be allowed to use the car park? Will employees in the hotel/PBSA/retail have preferential rates in the car park? It seems the operator will be free to manage the car park as they see fit.
- There is little local flavour to any of the proposed interventions. This is a standardised Travel Plan with nothing tailored to the actual situation.
- It refers to measures like “promotion” but there is nothing concrete like pricing or limitation on permits for car parking.
- There is mention of promoting car clubs, but it lacks information about what exists in Durham already. Nor does it assess whether it might be appropriate for the development to host any car club spaces and whether this is of value to users of the new development.

There is scope for many of these issues to be resolved under planning conditions, but others may require modifications to the design and access.

The Trust sees this redevelopment as a very positive opportunity to remedy the original design issues of the Prince Bishops development and the increasing use problems that have been caused by changes in retail provision. There is much that is of value in the proposal, and it makes these comments in order to prompt further change to remedy weaknesses in the proposals and achieve a high quality development that will complement Durham’s historic city centre.

Yours sincerely

John Lowe
Chair, City of Durham Trust