

THE CITY OF DURHAM TRUST

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2 December 2024

Mr Callum Harvey
Durham County Council Planning Development
PO BOX 274
Stanley Co Durham
DH8 1HG

Dear Mr Harvey,

DM/24/02829/VOC: Variation of Conditions 1 (Approved Plans), 2 (Floor Space and Use Classes), 5 (Travel Plan) and 10 (Ecology) pursuant to hybrid planning permission DM/20/01846/FPA, to create a Data Centre and ancillary office space (Use Class E(g)(ii)) with associated landscaping and infrastructure on Plot D, land at Aykley Heads, Framwelgate Peth, Durham DH1 5UQ

The Trust objects to this application based on limited job creation and design, landscaping, and sustainability. It has substantial concerns about the manner of the application and its deviation from the outline approval and masterplan.

Context

The nature of the two applications for a data centre at Aykley Heads, and the confusion over whether DCC or the University is the client, are perplexing. Whilst not pursuing this as grounds for objection, the Trust's concern is that the proposals together represent a major departure from the approval of hybrid application DM/20/01846/FPA, dated 20 January 2021, enough to warrant a new full application in our opinion. This leads to what the Trust considers is inadequate supporting evidence. It does consider that the changes against the approved masterplan and the parameters plan for Plot D in 2021 can be objected to in terms of significant departure from those parameters.

In addition, the Trust shares similar concerns to those expressed in the public comments about appropriate use classification for a data centre, it being similar to warehousing rather than an office category of building. The Trust deals with this by objecting to the design and landscaping failures relative to the envisaged business park use and the parameters established for this plot.

Having achieved the release of Green Belt land to help create the Business Park through the County Durham Plan, the masterplan and ambitions for the site were approved through hybrid application DM/20/01846/FPA. The ambitions were substantial. An initial 4,000 high value jobs rising to 6,000 jobs are to be attracted to a high quality business park in a parkland setting. This is to be counted as the North East's premier site for new business location. It was also to be an environmentally sustainable development. The parameters for Plot D were set in that application and approval. This was to be up to 3,300sqm floor space within three limited zones and

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with car parking also within two confined zones. This was clearly set to achieve a cellular development keeping the tree blocks to generate the desired parkland setting.

The importance of the Aykley Heads Strategic Employment Site is expressed very well in the Durham City Neighbourhood Plan:

"4.145 Aykley Heads is the largest and most important employment site and critical to the future attractiveness of the City for the location of future businesses. The land identified for it is on the non-Green Belt part of this area. It will be an exemplar of sustainable development, as set out in sustainability Policy S1, and for which a masterplan or other design and development framework will be prepared, see Policy S2. This land is scarce and valuable and can only be released for development that meets the highest standards which will be set out in the masterplan or other design and development framework with guidance set out in the NPPF Chapter 12: Achieving well-designed places (paras. 124 and 127)."

The Trust's representations that follow are made with the above context very much in mind.

Proposals

The Trust is generally supportive of the University's ambitions for a combined data centre and supercomputer, but it sees no specific justification for why this site, rather than somewhere else more closely associated with the University and on its estate, should not be used. We have had the benefit of attending the City of Durham Parish Council's Planning & Licensing Committee meeting held on Friday 28 November 2024 during which representatives of the University explained the proposal. It was clear from their answers to questions that the users of the data centre would be located elsewhere, mainly as University researchers.

The issues for the Trust are lack of job creation, excessive footprint, inadequate landscaping, design limitations and failures in sustainability as follows.

Job creation

The number of jobs identified varies from 7 to 15 in the submission. This is clearly not going to contribute to the ambitious job target of 4,000 - 6,000 jobs, setting a very poor example. By the Trust's calculations this plot should be generating somewhere between 175 and 300 jobs under more intensive business use. The promises of other business stimulation and business attraction are only loosely referred to. The centre is essentially a warehouse-style of building housing the computer and data banks, access to which could be from any number of locations remotely. There is no evidence as to why it needs to be on this site.

Footprint and Landscaping

The Parameters plan for Plot D identified a maximum footprint in three separate blocks totalling 3,300sqm although parking would need factoring into the layout as well, reducing the overall footprint for buildings. The submission (Planning Statement) confuses the proposed footprint sizes, but the Trust reads this as being 4,332sqm including the external backup generators. The final approved masterplan associated with the approved hybrid application shows only one building of 1,000sqm footprint plus a substantial parking area.

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This proposal is obviously substantially more than approved. The impact of this is amplified by it being a high single-storey building. It removes the central tree block separating the original development cells and creates a large monolithic building. Widening the access and adding a footpath further adds to tree loss. This cumulative loss is not adequately compensated for in the landscape plan due to the layout of the buildings and access being in close proximity to the remaining tree areas. Most of the replacement trees proposed will be small in size due to constraints on the planting areas. The very narrow and tightly constrained meadow grass areas add little, and the under-storey planting will not mitigate loss of the central tree block.

Design

This is predominantly a simple box structure with a small yard and office attached. Timber cladding does not mask the simple box form and is a very long way from the desired high quality buildings shown in the original business park application. It also is extended upwards to screen the large numbers and size of external plant machinery fixed to the gantry. This creates a large timber-clad box structure. It lacks any visual relationship with Salvus House identified as being necessary within the masterplan. The small office component and its green roof offer a little more, but this is outweighed by the basic building and its add-ons of access stairs, equipment, and the utilitarian generator yard. It is closer in design to a light industrial unit rather than business offices. The security fencing adds to this industrial image. This fails to achieve the ambition and lowers the quality of the Salvus House and its and the Corten House setting.

Sustainability

The Trust, in responding to the Plot C (now Corten House) proposal, identified the lack of detail and incorporation of appropriate future proofing for sustainable energy measures. The building has now been subject to retrofitting of roof solar panels and a significant air source heat pump compound. These should have been allowed for in the original design. The point the Trust makes is that the promise of sustainable development was in the original Business Park application but very loosely identified. The references to appropriate sustainability measures in the Plot D application are similarly undetailed and offer only minimal solutions.

The Plot D measures do not deal openly with the obvious data centre issues of high levels of cooling, energy use and waste heat. There is to be undefined '*maximised*' use of waste heat and water source heat pumps. This uses undefined heat '*waste rejected from the cooling systems*'. There is no indication of what the cooling system is and how energy use is to be minimised. Importantly, how the unused waste heat is to be dealt with is not clear. The backup generators are not factored in.

From the useful contributions by the University representatives at the Parish Council Planning meeting last Friday it is clear that some thought has been given to centralising the flow of cooling water for potential output to a district heating scheme. However, this begs the question of where a heat transfer station/energy centre might be located. In terms of efficiency it should be sited as close to the heat source as possible, so the outline scheme should at least indicate where this might be located and the detailed scheme indicate how the pumps and pipework connections would be incorporated within the building so as to avoid external add-ons in the future.

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Other data centres utilise waste heat through district heating systems. There is no firm proposal for creating a district heating system at Aykley Heads, but there is definite commitment to creating one on the University's estate.

Summary

The Trust therefore objects based on lack of job creation, substantial increase in footprint and tree loss, low quality of design and landscaping, and failure to adequately demonstrate energy use reduction and dispersal of waste heat. The policies that the proposal fails against are listed below in the Appendix.

Yours sincerely,

John Lowe

Chair, City of Durham Trust

Appendix – Policy Failures

County Durham Plan

Policy 3 Aykley Heads

Ther proposal fails to provide *a high quality employment location to contribute to the delivery of the new and better jobs which Durham City and County Durham need, land at Aykley Heads, as shown on the policies map, is allocated as a Strategic Employment Site. The proposals do not reflect the following principles of development:*

Employment

a. The proposals do not help to *deliver approximately 48,698 sqm of new high quality, flexible office (use class B1a) floorspace on 9 hectares of land to attract national and international employers.*

Green Infrastructure

c. The proposals do not deliver *an appropriate and enhanced landscape structure with clearly defined boundaries.*

d. The proposals do not set *the new office development within a strong landscape framework which capitalises on the site's natural landscape features, provides integration with the surrounding landscape, preserves and enhances wildlife potential and embraces environmental standards.*

Sustainable Design

h. The development does not *deliver attractive, well designed places incorporating sustainable development principles.*

Policy 29 Sustainable Design

The development proposals do not achieve *well designed buildings and places that:*

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.*

b. *create buildings and spaces that are adaptable to changing social, technological, economic, and environmental conditions:*

c. *minimise greenhouse gas emissions, by seeking to achieve zero carbon buildings and providing renewable and low carbon energy generation, and include connections to an existing or approved district energy scheme where viable opportunities exist.*

Policy 33 Renewable and Low Carbon Energy

Renewable and low carbon energy development in appropriate locations will be supported. In determining planning applications for such projects significant weight will be given to the achievement of wider social, environmental and economic benefits.

Proposals should include details of associated developments including access roads, transmission lines, pylons and other ancillary buildings. Where relevant, planning applications will also need to include a satisfactory scheme to restore the site to a quality of at least its original condition once operations have ceased. Where necessary, this will be secured by bond, legal agreement or condition.

Policy 33 is explained in CDP paragraphs 5.342 and 5.347:

5.342 The Plan can make a major contribution to mitigating and adapting to climate change by shaping new and existing developments in ways that reduce carbon emissions and positively build community resilience to problems such as extreme

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heat or flood risk. It can do this by ensuring that new development is located to reduce the need to travel and support the fullest possible use of sustainable transport. It should be designed in a way that limits carbon dioxide emissions, uses decentralised and renewable or low carbon energy and minimises vulnerability to future climate impacts.

5.347 [...] We are also engaged in examining the potential for low carbon district energy within Durham City. We will continue to work with partners to investigate and drive forward emerging and innovative opportunities around low carbon and renewable energy technologies as we seek to move to a secure, low carbon society and economy.

Durham City Neighbourhood Plan

Policy S1: Sustainable Development Requirements of all Development and Redevelopment

Sites Including all New Building, Renovations and Extensions

The development proposals do not, demonstrate the following relevant and appropriate principles:

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.

The responsible use of resources and increase in resilience to climate change by:

g) *Efficiently utilising energy,*

h) *Minimising energy consumption and carbon emissions and securing the local sharing of technologies such as district heating schemes.*

Policy E1: The Aykley Heads Business Park

The proposals cannot be supported at the Aykley Heads site because these are not in accordance with a masterplan or other design and development framework prepared under Durham City Neighbourhood Plan Policy S2a. The proposed development fails to ensure that, as an individual development, it *(a) contributes satisfactorily to the total jobs intended to be created on employment sites.*