

Durham County Local Plan Preferred Options report Submission by City of Durham City Trust

Policy 23 - Delivering Sustainable Transport

Question 31 - this is our preferred policy, do you have any comments?

The comments below constitute the Trust's response to pages 127-131 of the Preferred Options draft. They should be read in conjunction with the Trust's response to Policy 24 and with the more detailed response to the Council's separate consultation on its draft Durham City Sustainable Transport Strategy Delivery Plan. Some aspects of that strategy are also touched upon within the response to Policy 24, but these three responses should be read together as complementary statements of the Trust's views on the Council's transport proposals in the Preferred Options document and the associated documentation as they affect Durham City.

The arrangement of the Trust's Question 31 response is as follows:

- Comments on the inadequacy of the specific wording of Draft Policy 23 as contained in the blue-shaded box on pages 128 and 129 of the Preferred Options document
- A response to the monitoring arrangements proposed by the Council in the green-shaded box on page 131
- Detailed responses on the delivery arrangements as envisaged in paragraphs 5.200-5.211 of Preferred Options, arranged thematically and cross-referring as necessary to the relevant evidence papers, the draft sustainable transport strategy, and the introductory paragraphs 5.188-5.199

Draft Policy 23

In its title, preamble and sub-clause (a) Policy 23 clearly acknowledges the importance of sustainable transport. However, the policy itself appears to be drafted largely as a development control mechanism so, despite its heading, the policy's direct effectiveness in achieving delivery would, as it stands, be extremely limited and purely reactive. While the Trust supports the lettered sub-clauses in draft Policy 23 and the two concluding paragraphs as worthwhile planning conditions to ensure that new development meets sustainable transport criteria, the Trust's view, as noted below, is that these conditions should be included in a substantially-reworded Policy 23 that provides a more comprehensive basis for delivering sustainable transport.

In addition, it is the Trust's experience that the planning instruments referred to in the policy preamble and in paragraphs 5.202-3 – Transport Assessments, Transport Statements and Travel Plans – have in practice been afforded limited weight in recent significant planning decisions, either by the Council or on appeal. The Trust is also aware of several instances where these documents have been poorly prepared and have in some cases included manifest errors, yet these defects have not been taken into account when determining the relevant applications. If these instruments are to be more effective as a means of ensuring that developers comply with the Council's sustainable transport objectives at the planning stage,

then the Council itself must strengthen its capacity for ensuring proper scrutiny of the transport documentation that accompanies applications or is made a condition of approval. In fact paragraph 5.202 of the text accompanying the draft policy notes the limitations of the planning system in achieving transport change. As indicated above, the Trust's view is that the content of Policy 23 needs to be completely redrafted if it is to be attuned to its title, Delivering Sustainable Transport, and to reflect and address all of the issues set out in paragraphs 5.188-211 of this section of the Preferred Options document. The preamble should therefore be reworded as a comprehensive statement of transport planning and delivery objectives as set out, for example, in the Council's Local Transport Plan 3. Indeed, this document is actually referenced on pages 6 and 83 of the Durham City Sustainable Transport Delivery Plan. Development control measures, though important, should form simply one element of an array of mutually-reinforcing delivery policies. The scope of the sub-clauses should be extended to the Council's own responsibilities for transport planning, highway design, traffic management, transport integration, and public transport support, to ensure that the hierarchy detailed in existing sub-clause (a) is respected and implemented as the guiding principle for all the Council's decision-making that directly involves or has implications for transport, travel, and accessibility.

The Trust is also strongly of the view that Policy 23, after appropriate redrafting, should also be categorised as a strategic policy. Policy 24, which in title and effect amounts to no more than a sub-set of Policy 23, already has that designation.

Monitoring

For reasons implicit in the immediately preceding section of this response, the sole monitoring indicator proposed – a zero tally of successful planning appeals against Policy 23 – would be completely inadequate as a measure of the effectiveness of the Council's delivery of sustainable transport. Success in achieving the high-level objective that is embodied in Policy 23's title can only be measured in relation to transport and access outcomes, most obviously by monitoring changes in the balance between the volumes of sustainable and less sustainable travel and in the levels of accessibility afforded to users of different travel modes. A highly relevant example of an outcomes-based approach to monitoring is provided in Table 7.2 of the Durham City Sustainable Transport Delivery Plan.

Delivery issues

Delivering sustainable transport *Paragraphs 5.200-5.205.*

The Trust has commented above on the limited effectiveness to date of Transport Assessments, Statements, and Plans in influencing planning decisions in County Durham. In this context, the Trust notes that paragraph 5.204 refers to a government publication *Creating growth, cutting carbon* (Cm 7996), published in 2011. That document in turn references the 2010 report on the DfT Smarter Choice Programmes in the sustainable travel towns (which included Darlington.) It is clear from these documents that the favourable impacts quoted in paragraph 5.204 depended on a much wider range of interventions than simply travel plans. In previous submissions the Trust has pointed out that a key success

factor in such initiatives has been the strong commitment of the local authority to sustainable transport delivery, a factor which previously does not appear to have been very evident in County Durham.

Walking and cycling

Paragraphs 5.191; 5.206-207; 5.210

The Trust welcomes the commitment to produce a County Cycling Delivery Plan, and to use the planning system to promote access to active travel in new developments. While also noting the commitment to long-distance walking routes, the Trust considers that as highway authority the Council needs to demonstrate equal commitment to pedestrian movement on the existing urban road network, and as planning authority should ensure that developers are not permitted to causing long-term disruption to pedestrian flows, as has happened in Durham City over recent years. However, it is understood that the County Durham Cycling Delivery Plan will not have any maps. Therefore the primary and secondary cycling routes, which were included in the allocations map in the 2013 Pre-Submission Draft, would not be properly safeguarded in the new Plan. This should be remedied.

The Trust is concerned about the lack of understanding shown of what constitutes good walking and cycling provision. Greenfield developments come forward (e.g. Mount Oswald and Integra 61) with poorly-designed cycling routes which get approved. The Council does make reference to design guidance in the County Durham Cycling Strategy 2012-2015, which in turn is mentioned in the Policy. This is too many steps removed for most developers to pay any attention; the Council should adopt a formal Design Manual.

Buses

Paragraphs 5.192; 5.207; 5.209

The Trust considers that the County Plan should demonstrate greater commitment on the Council's part to sustaining an effective bus network as an alternative to car use. In particular, reductions in revenue support mean that many communities, even close to the city, now have limited or no bus services in the evenings and on Sundays, greatly restricting the choices of families without private cars.

Rail

Paragraphs 5.193-5.197

The Trust welcomes the reference in paragraph 5.197 to the Metro and Local Rail Strategy produced by Nexus on behalf of the combined authority. As noted, this includes options for extending local rail or Metro services to both Chester-le-Street and Durham City as well as southwards on the Durham Coast line. These options are referred to further in Policy 25, and include use of the Leamside line to create the opportunity for Metro services both to Sunderland and to Newcastle via Washington, as well as for a southward local passenger route to Ferryhill and Teesside. In the context now provided by the Government's approval for new dual-voltage Metro trains that would be compatible with the electrification system on the East Coast Main Line, the Trust considers it essential that the safeguarding of the Leamside line that is already included in the Council's preferred options should also be

extended to the route of the disused Leamside-Newton Hall connection. However, when considering other options for future uses of the Leamside line, the Trust is also concerned that the Council should not support its development as an avoiding route for Durham City for long-distance passenger services. This would undermine the existing strategic role of Durham station, which is referred to in paragraph 5.193 and is reflected in the fact that Durham is now the second-busiest station in the region, exceeded only by Newcastle itself.

Policy 24 - Durham City Sustainable Transport

Question 32 - this is our preferred policy, do you have any comments?

Introduction

The Trust has argued throughout the development of a Durham County Plan that action is required to reduce the dominance of car traffic in Durham City to reduce the direct adverse effects of road traffic on the city's environment and amenity and to make it easier for residents and visitors alike to move around the city by sustainable means of travel. However, while the Trust supports elements of draft Policy 24, it is totally opposed to the underlying proposition of this policy, that major new road building is a necessary precondition for the delivery of sustainable transport in the city and its surrounding area. The arguments used to justify this proposition in paragraphs 5.212-233 of the Preferred Options document and in the accompanying Draft Durham City Sustainable Transport Delivery Plan are false and in several instances factually incorrect, while the relevant evidence papers that are provided in support are partial and frequently distort and misrepresent the data. The most objective piece of evidence that the Council has made available is contained in the technical appendix to Jacobs' report *Durham Local Plan Traffic Impacts*, which acknowledges on pages 5 and 11 that the traffic modelling originally used by the Council to justify the Western and Northern relief roads was not fit for purpose.¹

Durham City sustainable transport delivery plan [DCSTDP]

The Trust is commenting separately to the Council's parallel consultation on the detail of the DCSTDP, and also supports the submission by the Durham Neighbourhood Planning Forum on this topic. It participated fully in the consultation process described in paragraph 5.215, but does not consider that the outcome embodied in the report adopted by the Council adequately reflects the input of the Trust and other community and transport-industry based stakeholders. It certainly does not represent a delivery plan in any accepted meaning of the term, since it provides no costed and committed timetable for implementing the measures proposed.

Demand management

The Trust also considers that the description of demand management measures provided in paragraph 5.216 is not sufficiently comprehensive and relies too heavily on "soft" measures,

¹ <http://durhamcc-consult.limehouse.co.uk/file/4958695> While the Jacobs report goes on to state that new modelling is being developed, it admits on page 35 that this is still work in progress and that the outputs are still not yet fully compliant with DfT guidance.

many of which would apply only to new developments. Paragraph 5.216 is silent on specific proposals to promote the use of bus transport more generally, such as an integrated ticket covering all operators (as is available, for example, in York) or better interchange arrangements. This and the immediately following paragraphs also fail to discuss pro-active measures to discourage car use – a strange omission when Durham was the first local authority in the UK to introduce congestion charging. But such measures need not be restricted to charging; traffic restraint can be achieved by ramp metering, by altering traffic signal priorities, and by parking controls at destination. While parking controls are later-mentioned in paragraph 5.210 of the preceding section of the Preferred Options document, it is strange that they are not included from the section of the document dealing specifically with the city, which the Council notes is the largest employment and retail destination in the County as well as being its prime visitor attraction. There also is a need for better management of non-residential on-street car parking as a demand management technique, and also a need for stronger travel plan requirements and expectations on employers, as noted in the Trust's Policy 23 response.. Finally, a new Park-and-Ride facility to the west or south-west of the City is needed, to assist in reducing the need for vehicular traffic to enter and park in the city centre.

Re-allocation, sharing and creation of highway space

Under this heading in Policy 24 there are proposals for a Northern Relief Road, a Western Relief Road, and improvements for walking, cycling and public transport linkages between particular areas. Before discussing the two Relief Roads, the Trust has a comment on the walking, cycling and public transport linkages. The growth of Durham University envisaged in its Masterplan places particular pressures on travel in the City, evidenced by over-crowded buses at morning lecture times and by the controversial proposals for widening the pavements in Church Street. Policy 24(c), (d), and (e) lists aspirations for walking and cycling improvements to the city centre from various quarters but omits Crossgate Moor, Neville's Cross, Merryoaks and Mount Oswald. For the University it would only be links to the city centre, not Neville's Cross, Belmont or Gilesgate. The County Council needs to develop a comprehensive plan for pedestrian and cycling movements around the City to demonstrate how the envisaged growth of Durham University can be satisfactorily accommodated.

Northern Relief Road

The Council evidently still believes that mitigating traffic levels on the A690 Milburngate bridge can only be achieved by building a new east-west road north of the city, and continues to overstate the level of previous commitment to such a scheme. The only time a Northern Relief Road (NRR) was seriously considered for implementation funding was in 2005/06, when it was judged to have low cost effectiveness and therefore was not pursued.²

When this assessment was undertaken, average traffic levels on Milburngate bridge were around 40,000 vehicles per day (according to the official DfT's statistics, 39,860 in 2005 and 40,040 in 2006). But traffic levels in 2017 were actually *lower*, an average 38,270 vehicles per day. The picture of inexorably growing congestion that is painted in the evidence papers

² JMP Consulting, *Regional Framework Assessment: Final Report Appendix E* (2006)

is simply not being borne out in practice, despite the growth in the city's population and employment that has taken place since the recession. The 2016 draft of the DCSTP which was used to develop this and other policies claimed that 47,000 *cars* per day crossed Milburngate bridge,³ but *Preferred Options* has already reduced this to “over 40,000 *vehicles* per day during the working week” in 2015 (Paragraph 5.213 and footnote 77). The average daily flow on this section of the A690 reported in the DfT tables for 2017 was 32,328 cars and taxis, and 38,270 for all vehicles. If it is assumed that the Council's earlier reference to 47,000 cars should have been to all vehicles, there has already been a 19% reduction in traffic volumes on Milburngate bridge which, in the Council's own words, can be “locked in” to provide for sustainable transport without any need for a Northern Relief Road. The Council has also failed to provide hard evidence of the level of traffic reduction on Milburngate bridge that could be achieved by the provision of a Northern Relief Road. The new origin and destination information that has been obtained is not sufficiently robust or fine-grained to justify claims that up to a third of peak traffic has no need to pass through the city centre (para 5.213) and could therefore be diverted to the NRR to free up capacity on the bridge for sustainable transport uses.

Paragraph 5.221 of *Preferred Options* itself identifies some of the adverse impacts of a NRR, and the proposal to improve Rotary Way and to extend the NRR to terminate on the A691 is presumably now intended to address the significant deterioration in local traffic conditions at the western end of the road that was identified in AECOM's previous modelling. However, this substantial increase in the scope of the project would also greatly increase its cost. Moreover, this extension to a direct connection into the A691 would exacerbate another problem with the NRR which was also evident from the modelling previously undertaken for the Council – the diversion of strategic traffic between the A1(M) and north-west Durham onto the county road network at Junction 62 rather than via the direct connection with the A693 at Junction 63. This would add to local air and noise pollution and worsen road safety overall by transferring substantial volumes of traffic from the motorway on to all-purpose roads. Furthermore, the Trust notes that the developer of the Sniperley Park residential project in the Green Belt would be required to provide the improved Trout Lane/Potterhouse Lane sections of the proposed Northern Relief Road. Unless these improvements were to be carried out ahead of the housing development there would be yet greater congestion problems in the locality, while in the NRR's eastern catchment any offsetting transport benefit it could bring to county residents would be limited by the location and configuration of the access from the A690, close to the Tyne & Wear boundary.

The Trust is also concerned that, if the proposal for a Northern Relief Road were to remain in the County Durham Local Plan as a precondition of the Durham City Sustainable Transport Delivery Plan, it would represent a continuing policy obstacle to the implementation of early measures to re-balance transport and travel within the city centre in favour of walking, cycling, and public transport. Sustainable transport measures must not be postponed on the grounds of delays to a NNR: the Delivery Plan places provision for motor vehicles bottom of the ranking of priorities, whereas draft Policy 24 reverses this by proposing major investment in new roads. This attempt to portray increasing motor vehicle capacity as an enabling

³ DCC, *Draft sustainable transport strategy for Durham City* (2016), pp 12-13.

measure is in reality in direct conflict with the Council's professed aim of promoting sustainable modes.

In short, sustainable transport can and should be delivered for Durham City without any requirement for a Northern Relief Road. The creation of this road would itself have substantial adverse environmental and traffic impacts, and the Council has failed to provide any economic case for this greatly-expanded version of the previous scheme that could justify its commitment through the County Plan.

A167 congestion and Western Relief Road

Again, the Western Relief Road (WRR) proposal amounts to nothing more than a solution in search of a problem, and the Council's attempts to redefine the case for this road now that its Green Belt housing aspirations are substantially reduced are no more convincing than before. In terms of draft Policy 23, locating additional housing at Sniperley cannot be justified; the argument in the evidence paper *County Durham Travel Patterns* that it is more sustainable to locate housing in Durham City than at "peripheral" locations such as Chester-le-Street or Seaham is breathtaking in its fallaciousness and disturbingly insular in its policy implications.⁴ It is far more sustainable for residents of these areas to commute shorter distances to nearby employment across the county boundary than to provide more road infrastructure around Durham City which is predicated on increased car traffic from development in the Green Belt.

Basing a case for the WRR more generally on existing and projected traffic conditions is even less convincing in 2018 than it was four years ago. The latest DfT road traffic data, that for 2017, shows that average daily flows on the section of the A167 between Neville's Cross and Sniperley are now at their lowest level *this century*, and that the decline in car and hgv volumes is continuing despite the economic recovery. The DfT road congestion and delay statistics similarly demonstrate that County Durham's A-road network continues to perform significantly better than both the national and regional average, and AECOM's observed and modelled peak-hour timing runs on the Neville's Cross-Sniperley section of the A167 that were undertaken for the Council in 2013, when traffic volumes were more than 5% higher, produced average speeds of 29.5 mph.⁵ This was only slightly below the DfT's reported peak hour average of 32.8 mph across the entire County Durham A-road network.⁶

As paragraph 5.225 indicates, peak hour congestion on the A167 arises primarily because this lateral route intersects key radial routes leading westward from the city. However, creating more junctions further west by adding a new road parallel to the A167 will simply transfer some of these conflicts to different locations. The Council's attempt to buttress the case for the WRR by commissioning a study of the potential for enhancements to the A167 is therefore misleading, because the assessment provides no comparison with the journey times that might be achieved by diverted traffic using the WRR.⁷

⁴ Jacobs, *County Durham Travel Patterns* (2018).

⁵ AECOM, *A167 Western Relief Road modelling report* (2014), pp 9-10.

⁶ AECOM, *A167 Western Relief Road modelling report* (2014), pp 9-10.

⁷ AECOM, *A167 Corridor: option development and transport modelling results* (2018).

However, what the A167 corridor study does show is that in the modelled traffic conditions the feasible on-line junction and capacity proposals that have been identified could improve forecast peak journey times on the Neville's Cross-Sniperley section in three out of four cases – the exception being northbound journeys in the evening peak. Paradoxically, this is attributed to the blockage caused to northbound A167 traffic by westbound A691 traffic, since the improved southbound capacity on the A167 allows more A691 traffic to flow freely through the roundabout.

Part-time signalisation of the Sniperley roundabout should resolve this issue, but signalisation is cursorily dismissed in the report without adequate exploration of the layout constraints that are claimed would prevent this. Given the extent of the existing land-take of Sniperley roundabout and its approaches, it is difficult to imagine that a combination of engineering and traffic management measures could not be developed to deal satisfactorily with the problem at a fraction of the cost of a new relief road, which would itself introduce major new junctions into the existing road network; indeed AECOM note in paragraph 4.4 of their report that no improvements at Sniperley have been identified “**at this stage of the design process**” [emphasis added]. The fact that the Council has chosen not to take this process further before defining its preferred options suggests that it is intent on progressing the WRR for its own sake rather than dealing most cost-effectively with the underlying problem of A167 congestion that it claims to have identified.

The Trust does not accept that A167 capacity is as great a problem as the Council argues. It also feels that, if required, many of the benefits of the scheme identified by AECOM could be delivered without the continuous southbound widening that is proposed. But the AECOM report in any event weakens rather than strengthens the case for a WRR, because of the significant disparity in the costs of the two schemes. When the evident adverse effects of such a relief road on the Green Belt and battlefield site are also taken into account together with other dis-benefits, the Trust considers that the WRR should be deleted from the Preferred Options, but that on-line capacity increases and associated junction improvements should be safeguarded as a future option for the Neville's Cross-Sniperley section of the A167 if required.

Durham City Transport Modelling

For the reasons given above, the Trust does not agree with the statements and conclusions in paragraphs 5.232-3. The national evidence does not support the Council's position on congestion and traffic growth, and the commissioned data that is included in the evidence base has not been interpreted objectively by the Council and its consultants. The Council has failed to acknowledge that increasing road capacity will of itself generate more road traffic, while its proposals for demand management lack ambition and any real substance. “Greenwash” is no substitute for effective action to rebalance transport priorities in line with draft Policy 23 (a).

POLICY 25 – Allocating and safeguarding transport routes and facilities

Question 33 - this is our preferred policy, do you have any comments?

The Trust has no comments on the specific allocations and safeguarding listed against (a); (b); and (d) of the policy, nor on the proposed safeguarding of a Barnard Castle relief road. It welcomes and supports the safeguarding of the Cycling Super Routes and the Primary and Secondary Cycling Routes identified in the County Durham Cycling Delivery Plan.

On 25(c), Leamside Line and associated infrastructure, for the reasons set out in its response to Policy 23, Question 31, the Trust considers that this safeguarding should explicitly be extended to include the solum of the disused branch from Leamside to the East Coast main line within the definition of the associated infrastructure of the Leamside Line.

POLICY 26 – Provision of transport infrastructure

Question 34 - this is our preferred policy, do you have any comments?

While the intent of this Policy is welcome, the Trust considers that sub-clause (a) [“are necessary to improve the existing highway network and/or rail network”] should be deleted as superfluous and as potentially damaging to the integrity of Policy 26. All transport interventions should be justified in terms of one or more of the high level outcomes set out in sub-clauses (b)-(d); this applies as much to improvements of existing networks as well as new schemes; in these terms, “improvement” by itself is not an outcome unless it identifiably contributes to wider transport objectives. Sub-clauses (e) and (f) are conditions relating to the method of delivery rather than to purpose, and should be listed in a way that reflects this. Consequently, existing sub-clauses (b)-(f) should be re-listed (a)-(e) and slightly adjusted and reordered for clarity, and in the interests of good governance the preamble should be strengthened by the inclusion of a prior condition, as follows:

New highway schemes and new transport infrastructure will be permitted where they have been justified through the appropriate option-selection processes and value-for-money tests of their costs and benefits; their feasibility, deliverability and fundability have been demonstrated; and their provision will satisfy one or more of the following objectives:

- Supporting economic growth;
- Enhancing connectivity either within the county or externally; or
- Accommodating development sites.
- Additionally, their design and delivery should:
- Minimise and mitigate any harmful impact upon the environment and the amenity of local communities, including the incorporation of Green Infrastructure; and
- Make safe and proper provision for all users which prioritises the movement of pedestrians, cyclists and public transport.