

City of Durham Parish Council

Dear Councillor,

In accordance with the Local Government Act 1972

I hereby give you notice that an **Extraordinary Meeting** of the **City of Durham Parish Council** will be held in **The Shakespeare Hall, North Road, Durham City, DH1 4SQ** on **Wednesday 5 September 2018** at **19:00** to transact the following business:-

- 1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES OF ABSENCE FROM TODAY'S MEETING**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS.**
- 3. PUBLIC PARTICIPATION**
- 4. CONSIDERATION OF, AND RESPONSE TO, THE PLANNING APPLICATION FOR THE NEW DURHAM COUNTY COUNCIL HQ ON THE SANDS IN DURHAM INCLUDING:-**

- (a) Planning application [DM/18/02369/FPA](#) by Kier Property Developments Ltd regarding The Sands Carpark and Durham Sixth Form Car Park Site, Freemans Place, Durham, DH1 1SQ

Erection of office headquarters with associated car parking (inclusive of a multi-storey car park) with associated landscaping, highway and infrastructure works and demolition of existing structures.

- (b) Motion submitted for discussion by Cllr J Ashby
This Council commits to the possibility of obtaining legal advice on the feasibility and assessment of the likelihood of success of seeking an injunction from a Judge in Chambers to instruct Durham County Council to not proceed to determine planning application DM/18/02369/FPA.

And pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting.



Stephen Ragg
Interim Clerk
City of Durham Parish Council

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Durham

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29 August 2018

CITY OF DURHAM PARISH COUNCIL

Notes for the special meeting on 5th September 2018

Planning application no. DM/18/02369/FPA: Erection of office headquarters with associated car parking (inclusive of a multi-storey car park) with associated landscaping, highway and infrastructure works and demolition of existing structures, The Sands carpark and Durham Sixth Form car park site, Freemans Place Durham DH1 1SQ

Introduction:

The Neighbourhood Planning Forum and Draft Plan are particularly concerned with maintaining and enhancing the special qualities of the built and natural environment of Durham City and its roles as a strong centre for employment, learning, shopping, culture, entertainment, tourism and governance.

Accordingly, it is essential that all these inter-related roles are considered and safeguarded when the City is presented with a development proposal. In particular, the historic centre is totally unsuited to vehicular traffic, and the guiding principle quite rightly is to severely limit the penetration of cars, lorries and other vehicles.

A: Process and procedure issues

1. Questions about validity of the planning application (e.g. states there are no Public Rights of Way across the site whereas there is one).
2. Questions about propriety of the County Council determining this application from a developer that it appointed and for a building it will occupy and own. Ask the Secretary of State to 'call in' the application for independent decision?
3. Questions about the Procurement stage which seems to be the moment that the location flipped from being a developer's site (Option 3 - see appendix to this note) to being the County Council's land. What were the criteria that led to this new option defeating the best option? What actually ruled out the County Council's land the other side of the river (the Cabinet report says that is big enough but there are 'planning restrictions').

B: Traffic and air quality

4. Claypath and Gilesgate are already registering above-safe levels of pollution: Gilesgate and Claypath are in the Durham City Conservation Area and should be declared a Clean Air Zone.
5. The top of Providence Row is also a peak pollution area: cars and buses coming up the hill and waiting at the lights provide high levels of petrol and diesel pollution. We already know about the effects of pollution on our hearts & lungs, but this week there was a new published report of the effects of pollution on cognitive function, "The impact of exposure to air pollution on cognitive

performance”, published August 2018: according to the report, it seems that the greater risk is to older citizens who live within the city centre. The Providence Row junction is adjacent to flats for retirement age people.

6. Buses coming up Providence Row are the main source of diesel pollution, as identified in the County Council’s own Air Quality Action Plan (a plan required by all local authorities who have declared Air Quality Management Areas that are not expected to achieve the Government’s objectives for air quality).

7. The increased traffic indicated by adding a further 1,000 employees to this area is worrying. Even if there are only 280 parking places for these 1,000 staff, many will be driven to work, causing additional journeys in and out.

8. The loss of the coach park means that coaches too will do this journey twice as often once to drop their passengers and again to collect them.

9. Claypath is a narrow street and currently the development of “Student Castle” is making traffic and pedestrian access much worse. It is anticipated that this will continue until September 2019. If construction begins on Freemans’ Quay in December 2018 this will bring many more large vehicles and workers (and associated danger, air pollution and delays) onto Claypath and Providence Row.

The proposal is contrary to Saved Policy T1: *“The council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant effect on the amenity of occupiers of neighbouring property.”*

C: Safety

10. The junction between The Sands and Freeman’s Quay is already busy and unsafe. The main road is to continue along the Sands so pedestrians believe cars will signal before turning into Freeman’s Quay; often they do not and there have been many near- collisions between pedestrians and cars.

11. This proposal will bring more pedestrians and cars up or down Claypath. Claypath above Providence Row is primarily a residential street, which is already so busy that it is often difficult and dangerous to cross the road.

D: Environment

12. This is a Conservation Area, yet Durham residents and daily workers have been subjected to almost five years of continuous building noise, air pollution and restricted road / pavement space. The prospect of more adding to this, even temporarily, is distressing.

13. On a permanent basis, the proposed development will change the ‘country’ feel of the Sands, and adversely affect the riverside path with yet more buildings to hide the river.

13. The river banks are limited and beautiful. Many residents and visitors enjoy them every day in every season.

14. The wildlife (including rare birds) has been disrupted due to the recent building but is just beginning to return to this part of the river. Further disturbance in this site could mean many of them disappear not to return again.

15. Any additional night time light pollution will severely disturb nocturnal wildlife.

16. Thus the proposal is contrary to Saved Policy E5: *"Not permitting any development at observatory hill or along the riverbanks except for minor development related to either the use of existing buildings or outdoor sport and recreational use."*

17. It is also contrary to Saved Policy E6: *"The special character, appearance and setting of the Durham (city centre) Conservation Area will be preserved or enhanced by encouraging all proposals for new building to:*

- a) Exhibit simple, robust shapes, have a clear predominance of wall surface over openings and be restricted to a limited range of external materials; and*
- b) Have simple traditional roofs which do not create long or continuous ridge or eaves lines and which do not include reflective surfaces such as glass; and*
- c) Reflect a quality of design appropriate to the historic city centre; and*
- d) Use external building materials which are the same as, or are sympathetic to the traditional materials of the historic city or an individual street; and*
- e) Fragment proposals for large buildings into blocks of visually smaller elements in a way which is sympathetic to the historic city centre."*

18. The proposed County Council headquarters site is in a flood risk zone. Indeed the accompanying documents state that a flood warning system will be needed for staff and visitors to evacuate the building when flooding is expected. The Radisson Blu hotel on the opposite side of the river has several times been inaccessible due to flooding.

19. The 'golden thread' running through NPPF and the Durham City Draft Neighbourhood Plan is sustainability. Paragraph 11 of the NPPF sets out how to apply the 'golden thread' of sustainability. It says that for decision-taking this means granting permission unless specific policies in this Framework indicate development should be restricted, and gives for example those policies relating to *"habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change."*

E. The buildings

20. The design of the building proposed is banal and not fitting for a World Heritage city; it is not 100% "eco"sustainable; if there had been a design-led

competitive tender we might have had a much more interesting, aesthetically pleasing and sustainable building;

21. Disability access via Millennium Place depends upon the car park maintaining its lifts (the main one is usually out of order) and on the availability of the lift in the indoor market.

ADD to 18. The height of the building will further block views of the City, and its footprint will fill almost all the entire area in front of the river leaving no rural area for tourists and residents to enjoy the freedom of the riverbanks. A much smaller building might have been proposed which could have left a "country feel" to this important conservation area.

22. The multi- storey car park is most inappropriate for this site – this riverside, city centre site does not need a more built-up environment.

F: The 'consultation'

23. The "consultation" / exhibition at Freemans' Quay was held concurrently with the preparation of the application and has given no recognition to the hundreds of local and wider Durham County residents who have written, responded or signed a petition asking the County to rethink the proposal to locate the new HQ at The Sands. Indeed, there has been totally insufficient time to make any meaningful amendments as the planning application was submitted 22 days later. The Parish Council believes that this is indicative of a 'fait accompli' with no intention of considering public opinion as to alternative sites or the adverse impacts of the proposal as exhibited.

24. No response has been given to the Parish Council, the most recently, democratically elected body representing the city which unanimously voted to request the County Council to pause or cease the development and carry out a meaningful consultation including alternative locations.

25. The timing of the application, being so rushed and right at the point of national holidays, indicates no real commitment to community involvement.

26. The appointed developer Kier has currently been brought to the High Court by Unite for blacklisting trade union workers and those who speak their concerns. Was due diligence carried out?

27. Moreover, Kier has a worrying track record of poor workmanship, a recent example being work done for Dumfries Council which culminated in Dumfries Council spending a further 10 million pounds and an extra 82 weeks' work by a different agent.

G: Other locations

28. Instead of proposing the new HQ at The Sands, other locations would be much better. For example, the Milburngate site would offer much safer and cleaner access to a new headquarters nearer the bus and rail stations and would also give employees direct access to businesses in North Road which desperately needs support.

29. Alternatively, the headquarters could stay somewhere within the Aykley Heads employment site where public transport access is much closer, car parking provision is greater, and a top-quality building could give impetus to attracting new businesses.

30. The 'hub and spoke' model is a good one and enables the County Council to overcome all of the above problems. It could reduce the size of the 'hub' to be a full civic presence in the County town including the use of the empty council building at Millenium Place, but with the back-up staff in back-up offices at Meadowfield, Belmont, Bowburn and any of the other 'spokes'.

Appendix: Extract from Cabinet Report January 2018

115 A year later in July 2016, Cabinet agreed the OBC and the production of the Full Business Case, taking forward two options which were: (a) to move to a new city centre core headquarters (freehold) on developer owned land and remodelling of the strategic sites (Option 3); and (b) a new headquarters on council owned land in the city centre delivered by the council and remodelling of the strategic sites (Option 5).

116 Cabinet agreed that the recommended option (option 3) was the preferred delivery route with option 5 being retained as a comparator, with a further report to be brought to Cabinet once the Full Business Case had been completed.

Full Business Case Short-List Options

117 The five options under consideration at OBC remain at FBC. The intent of each option is unchanged, but the option descriptions have evolved to aid clarity of understanding and reflect that the work on strategic sites is underway. The FBC option descriptions are set out in table 1 below.

Table 1: FBC Short-list options

1. Full refurbishment of County Hall
2. New Build HQ by DCC on DCC land at Aykley Heads
3. New Build in City Centre (freehold – Developer led)
4. New Build in City Centre (leasehold – Developer led)
5. New Build in City Centre (freehold – DCC existing site and DCC delivery)

118 The OBC concluded:

(a) Option 1 was a particularly poor value for money option. It requires continued use of the Aykley Heads site, is high cost and does not allow for the full redevelopment of the Aykley Heads site, which is the key programme objective;

(b) Option 2 does have a slightly lower capital investment and annual revenue cost than the other new build options, however as in the above option it does not allow for the full redevelopment of Aykley Heads;

(c) Option 3 shows strong value for money. It has the highest benefits score against the strategic objectives but the capital investment costs are higher than Option 2 and Option 5, however this option benefits from transfer of development risk to the private sector partner thus providing more cost certainty;

(d) Option 4 has the second highest benefits score but the highest costs in terms of value for money. This stems from: the level of rent a developer would require to commit to delivering a new building; and the increased costs of renting over a freehold to a local authority. This is the only option where the council would not retain an asset.

(e) Option 5 shows good value for money at this stage. It relies on the council being able to deliver a new HQ building on a site in the city. This option however presents more inherent risk to the council with experience suggesting that this option leaves delivery risk with the council instead of securing risk transfer to the private sector.

(Paras 119-126 omitted)

127 The value for money assessment completed reinforces the previous OBC finding by indicating that Option 3 - relocation to a new freehold HQ building in the city centre delivered by a private sector developer - is the preferred option to deliver the strategic objectives. This is based on the following factors:

(a) Remaining at County Hall for any longer than the immediate future will have a very high cost and be poor value for money.

(b) It is lower cost to move to a new building than refurbish County Hall (Option 1).

(c) Option 2, the council building a new HQ at Aykley Heads, is just higher cost than Option 3, but its benefits score and value for money are significantly worse.

(d) Option 3 is a city centre HQ delivered by the private sector. It has the highest benefits, enables significant risk transfer and has the lowest cost.

(e) Over time, the city centre freehold (Option 3) has a markedly lower cost than the city centre leasehold equivalent (Option 4).

(f) Option 5 is a city centre HQ delivered by the council rather than a private sector developer. It has a lower, though still good, benefits score, but compared to Option 3 has much more risk retained by the council for the duration of the project and a higher cost.

128 The appraisal completed clearly identifies Option 3 as the most economically advantageous option. It has the highest qualitative score and the competitive procurement undertaken has delivered a significantly lower cost than forecast at OBC. Option 3 was the preferred option at OBC and has been developed through the procurement, including by council land being offered for a future HQ to address the very limited supply of suitable private sector sites available.

(Paras 129 to 138 omitted)

The Procurement Process

139 As part of the commercial case, the council undertook a procurement process. The procurement was judged to be complex and requiring structured engagement with any potential bidders. The OBC analysis and soft market testing confirmed that a private developer scheme via a Competitive Dialogue

procedure was most strongly aligned with the key procurement drivers and would achieve the optimum risk transfer position for the council.

140 The soft market testing established that developers were keenly interested in delivering a new headquarters for the council but that developable land was scarce in the city centre. In order to ensure that value for money was achieved and as per the Cabinet approval, development was sought by a private developer on either developer or council owned land.

141 Whilst developers were able to bring forward sites under their control, a plan of the council owned land considered appropriate for this project within the identified geography is attached as appendix 3. Three council owned sites were identified as having the potential to meet the requirements for a building and associated car parking. Through offering up these sites to developers, the council could achieve its overall objectives, including regeneration, as well as be assured of a competitive process resulting in the best value for money solution. A massing exercise was carried out which showed that all three sites were of sufficient size to accommodate the new HQ, but that planning restrictions meant that only one of the sites, the Sands car park, could accommodate the HQ whilst the other two sites facilitated car parking. This option was on the understanding that any existing car parking would be re-provided.

142 Following soft market testing, an OJEU Notice was issued in March 2017 together with a Selection Questionnaire (and all required documentation). An Invitation to Participate in Dialogue (ITPD) was then issued to four short-listed bidders in May 2017. The council closed dialogue with all four bidders in September 2017 and then issued an Invitation to Submit Final Tenders (ITSFT). Four bids were received and an evaluation process was completed.

143 The nature of the procurement and the competitive tension it brought, combined with the clarity of the council's requirements, delivered lower cost financial proposals than had been anticipated at OBC stage. Of the four proposals received during the procurement, the scheme proposed by the 'Preferred Bidder' represented the most economically advantageous bid, and has formed the basis of Option 3 in the FBC.

144 As set out in the procurement documents, a "Reserve Bidder" has also been selected based upon being the second highest scoring bidder. The Reserve Bidder will only be approached should the preferred bidder not perform during the PDSA period.

DURHAM CITY NEIGHBOURHOOD PLANNING FORUM



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30 August 2018

Mr Henry Jones
Development Management Team Room 4/86-102 Planning Department
County Hall
Durham City
DH1 5UL

Dear Mr Jones

**Planning application DM/18/02369/FPA:
Erection of office headquarters with associated car parking (inclusive of a multi-storey car park) with associated landscaping, highway and infrastructure works and demolition of existing structures, The Sands car park and Durham Sixth Form Car Park Site, Freemans Place, Durham City DH1 1SQ**

1. The Durham City Neighbourhood Planning Forum has prepared a Draft Neighbourhood Plan which has completed the Regulation 14 public consultations. The Forum's comments on this application are drawn from the public's clearly expressed priorities for Durham City in the consultations carried out for the Neighbourhood Plan. The principal considerations in determining planning applications in Durham City are, until the Neighbourhood Plan is approved, the National Planning Policy Framework (NPPF) and the Saved Policies of the City of Durham Local Plan 2004 consistent with the NPPF.
2. In that context, it is important to note that the planning application's Planning Statements says in paragraph 4.46 about the emerging County Durham Local Plan that "***it is not considered that weight should be afforded to these emerging policies when determining the application.***" Bizarrely, the planning statement then proceeds to assess and approve of the planning application under those very policies despite the fact that they should not be afforded weight.
3. The Neighbourhood Planning Forum and Draft Plan are particularly concerned with maintaining and enhancing the special qualities of the built and natural environment of Durham City and its roles as a strong centre for employment, learning, shopping, culture, entertainment, tourism and governance. Accordingly, it is essential that all these inter-related roles are considered and safeguarded when the City is presented with a development proposal. In particular, the historic centre is totally unsuited to vehicular traffic, and the guiding principle quite rightly is to severely limit the penetration of cars,

lorries and other vehicles. The Forum's comments on the application are based on these factors, as follows.

Traffic and parking

4. The proposal would generate significant additional vehicular traffic using the Leazes Bowl/Milburngate Bridge slip road and the Claypath/Providence Row T junction. Indeed, all vehicular traffic would have to leave the site by travelling up Providence Row and onto Claypath. This is absolutely contrary to the principles and practices that have applied in Durham City for decades. The Forum has examined the traffic documents accompanying the application and considers that they fail to appreciate the realities of the situation - the Providence Row/Claypath junction already causes tailbacks - down a steep bank and along a major route to the city centre respectively - and the proposed provision of 200 extra car parking spaces will clearly make the amount of traffic and congestion worse.

5. The new Passport Office and National Savings Office have a similar number of staff to the proposed new County Council headquarters and have no staff car parking provision whatsoever. Given that they both can manage without, so too should the County Council.

Tourism

6. The Forum considers that the loss of the tourist coach park will require coaches to come into and leave the City centre twice instead of once - coming in to drop visitors off, leaving to park at Belmont, then re-entering the centre again to pick up their visitors and then leave again. This not only doubles the amount of such traffic but also increases the amount of air pollution (see later).

7. It also endangers the coach-based tourism businesses and jobs in the City. The coach-based tourism industry is extremely sensitive to problems at destinations. Durham will become a delay problem, not just by congestion and by extra entry and exit time but also retrieving passengers who will no longer be able to return to their bus at the existing coach park. In these circumstances, some loss of tourist coach businesses is extremely likely.

8. This is an important issue - Visit County Durham estimates that in 2017 there were 3.8 million day visitors to Durham City making £107 million expenditure, which is 89% of all tourist expenditure in the City. In other words, whilst the aim rightly is to increase the number of overnight stays, the fact is that day visitors overwhelmingly provide the economic benefit at present. Deterring tourism coaches by removing their coach park from the city centre is a major negative aspect of the proposed new County Council headquarters at The Sands.

Pedestrian safety

9. There are significant and vulnerable pedestrian flows across the additional vehicular traffic that the proposal would introduce. Pupils attending the Sixth Form Centre's two locations (Freeman's Quay and Ferens Court) walk along the Freeman's Quay road and will encounter the cars entering and leaving the

proposed multi-storey car park. The Sixth Form students at the Ferens Court premises will have to cross the road at the blind sharp corner at the junction of Freeman's Quay with the foot of Providence Row. School pupils are dropped off by coach on Freemans Quay for swimming sessions and have to cross the road to get to the baths. These dangers are disregarded in the traffic reports accompanying the application. Tourists will be unfamiliar with the road system and will probably be dropped off/picked up at the slip road from Milburngate Bridge and/or the coach layby opposite the service access for Walkergate. Coachloads of 40 to 70 tourists or more of a wide range of ages, mobilities and nationalities will be at risk from the additional vehicular traffic caused by the proposal.

10. Pedestrians leaving the city centre to access the north-bound bus service and Park and Ride bus stop on Milburngate Bridge will be at additional risk from increased traffic leaving the A690 to enter the Walkergate slip road. Vehicles accelerating after being released by the traffic lights on Leazes Bowl roundabout and also coming from the Claypath slip road arrive at speed to the tight turn onto the slip road immediately after the shadow of the Claypath flyover.

11. The proposal is therefore contrary to Saved Policy T1: *"The council will not grant planning permission for development that would generate traffic which would be detrimental to highway safety and/or have a significant effect on the amenity of occupiers of neighbouring property."*

Air pollution

12. The Durham County Council Air Quality Management Area (AQMA) for Durham City includes Claypath from Leazes Road to the junction with Providence Row. The level of air pollution is such that the County Council is required to have an action plan to deal with the health consequences for the residents and visitors in this area. It makes matters worse not better to add to the cars, delivery lorries and coaches waiting at on the steeply sloping Providence Row traffic lights and then accelerating up steeply sloping Claypath.

13. The Planning Statement in paragraphs 5.81 to 5.84 concludes that **"the development would not cause any new exceedances of the statutory objectives"**. The whole point of including Claypath/Providence Row in the AQMA is that ["national air quality objectives"](#) need to be achieved throughout the UK by the relevant deadlines, for the sake of people's health and the environment. If a local authority finds any places where the objectives are not likely to be achieved it must declare an AQMA there and must put together a plan to improve air quality there" (DEFRA). Adding to the vehicular traffic on Providence Row and Claypath does the opposite, it makes the already worrying level of air pollution even worse. This is harmful to the residents of both streets and to the many others who walk from the Sands residential estates and from upper Claypath and beyond. These residents and walkers include a significant number of young people (University students) living in Providence Row, Wanless Terrace, Finney Terrace and Claypath/Gilesgate and there will be many hundreds more in the Purpose Built Student Accommodation blocks in Claypath, New Kepier Court and Chapel Heights walking daily through the polluted air. It is wrong to subject these young people to the perils of air pollution.

The proposed headquarters building and multi-storey car park

14. The County Council's brief is quoted in the Design and Access Statement as needing the new headquarters building to be "of Durham and for Durham". There is nothing "of Durham" about the proposed design; it could be anywhere in the country. Moreover, it would urbanise an area that is currently open and surrounded by trees.

15. The proposed five storey car park is far too high and bulky for the site. The approach from Freeman's Quay and from Providence Row is at present a view of countryside with the green open flood plain and river banks of The Sands in the foreground. This is a precious quality, part of what makes Durham City special, and a multi-storey car park is not appropriate.

16. Thus the proposal is contrary to Saved Policy E5: *"Not permitting any development at observatory hill or along the riverbanks except for minor development related to either the use of existing buildings or outdoor sport and recreational use."*

17. It is also contrary to Saved Policy E6: *"The special character, appearance and setting of the Durham (city centre) Conservation Area will be preserved or enhanced by encouraging all proposals for new building to:*

- a) *Exhibit simple, robust shapes, have a clear predominance of wall surface over openings and be restricted to a limited range of external materials; and*
- b) *Have simple traditional roofs which do not create long or continuous ridge or eaves lines and which do not include reflective surfaces such as glass; and*
- c) *Reflect a quality of design appropriate to the historic city centre; and*
- d) *Use external building materials which are the same as, or are sympathetic to the traditional materials of the historic city or an individual street; and*
- e) *Fragment proposals for large buildings into blocks of visually smaller elements in a way which is sympathetic to the historic city centre."*

Flood risk

18. Paragraph 11 of the NPPF says that for permission for development should be granted unless specific policies in the Framework indicate development should be restricted, and gives examples - policies relating to *"habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change."* The proposed County Council headquarters site is in a flood risk zone. Indeed the accompanying documents state that a flood warning system will be needed for staff and visitors to evacuate the building when flooding is expected. The Radisson Blu hotel on the opposite side of the river has several times been inaccessible due to flooding.

Sustainability

19. The 'golden thread' running through NPPF and the Durham City Draft Neighbourhood Plan is sustainability. Projects should be assessed against all three 'legs' of sustainable development: economic impacts, environmental impacts, and social impacts. The Forum considers that the proposed new DCC headquarters building and multi-storey car park have not been adequately assessed for sustainability. Further, the Forum believes that the County Council should set the standard for good sustainable development and that a full Sustainability Appraisal would find these proposals unacceptable.

The decision-making process

20. The Forum has examined the Cabinet Report of January 2018 in relation to the proposed re-location of the County Council's headquarters. It is difficult to follow the decision-making process in which at paragraph 115 two options are taken forward: "*(a) to move to a new city centre core headquarters (freehold) on developer-owned land and re-modelling of the strategic sites (Option 3); and (b) a new headquarters on council-owned land in the city centre delivered by the council and remodelling of the strategic sites (Option 5).*" Option 3 emerges as best in all subsequent tests, not Option 5. Yet what has been decided is to build on the County Council's land i.e. Option 5, somehow in passing confusingly re-named Option 3. The Forum considers this obscurity to be most unsatisfactory, especially as the Recommendations to Cabinet say nothing about which location and whose land is being recommended.

21. A pre-application public consultation was carried out by Kier Construction Ltd, the Council's appointed developer. The planning application was submitted 22 days later. No meaningful amendments could be made within this timeframe. The Forum believes that this is indicative of a 'fait accompli' with no intention of considering public opinion as to alternative sites or the adverse impacts of the proposal as exhibited.

22. There also has to be concern that the planning application is to the County Council on its own land for its own new headquarters. Cabinet has already decided that the new Headquarters will be on this site. Whilst it is perfectly legal for the County Council Planning Committee to determine the planning application, public perception is another matter and it would be more robust for the decision to be made by an independent body. The Forum asks the County Council to not proceed with the current application but that, if it does proceed, the Secretary of State should be asked to 'call in' this application.

Alternatives

23. The Forum considers that the haste with which the planning process is being conducted is a grave disservice to the City and to achieving a positive and worthy solution. The Cabinet Report notes three alternative locations within the Council's ownership; all three are described as big enough to accommodate the proposed headquarters but two are described as having 'planning restrictions'. Far greater analysis and explanation is required before dismissing the two other sites.

24. The headquarters building could also be accommodated elsewhere, for example within the former Milburngate House cleared site across the river.

Amongst many benefits, it is near the bus and train station and staff spending would be more likely to be in North Road. Alternatively, it certainly could be accommodated within the Aykley Heads estate with good accessibility and car parking. An international architectural competition would produce an outstanding building and boost the attraction of high quality office developments there.

25. The 'hub-and-spoke' model for the County Council is good, and lends itself to having an appropriate civic presence in the County town in a smaller building with the "back-office" staff in a back office, perhaps at Belmont, Bowburn or Meadowfield. The Forum is aware of the submission from Spennymoor Town Council that the regeneration benefits should be spread to Spennymoor rather than Durham City; the same point applies for other main towns such as Bishop Auckland, Chester-le-Street, Consett or Stanley.

Conclusions

26. The Durham City Neighbourhood Planning Forum formally objects to the development proposed in this planning application on the grounds that it causes traffic congestion problems, air pollution problems, and pedestrian safety problems; is harmful to tourism, the riverbanks, and the Conservation Area; is in a flood risk zone; and is being proposed without transparent public consultation about alternatives. The Forum asks the County Council to not proceed with this planning application and instead to re-consider other sites and solutions as outlined above; to make available the evaluation of all sites and solutions; and to carry out public consultations on the choices for this very important issue for everyone in County Durham.

Roger Cornwell,
Chair, Durham City Neighbourhood Planning Forum
30 August 2018