

City of Durham Parish Council

Minutes of the meeting of the City of Durham Parish Council held on Thursday 25th April 2024 at 7:00pm in the Main Hall of the Merryoaks Community Hall, Park House Rd, Durham DH1 3QF.

Present: Councillors A Doig (in the Chair), E Ashby, J Ashby, V Ashfield, D Freeman, R Friederichsen, G Holland, C Lattin and S Walker.

Also present: Parish Clerk Adam Shanley and 4 members of the public.

1. TO RECEIVE AND APPROVE (OR NOT) APOLOGIES FOR ABSENCE FROM TODAY'S MEETING

Apologies were received and accepted from Councillors L Brown, N Brown, R Ormerod, E Scott and H Weston.

Apologies were received but not accepted from Councillor R Hanson following a vote of Members (1 vote in favour, 5 against and 3 abstentions to accept apologies).

2. TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS

None received.

3. APPROVAL OF THE DRAFT MINUTES OF THE COUNCIL MEETING HELD ON 28TH MARCH 2024

The minutes of the meeting held on 28th March 2024 were unanimously **agreed** as a true and accurate record of proceedings.

4. PUBLIC PARTICIPATION

Mrs Roz Layton advised that she was attending the meeting with a general interest in all Agenda items on behalf of Elvet Residents Association.

Mr Michael Hurlow advised that he was attending the meeting to hear the discussion on item 7 on the Agenda.

Mr Allan Gemmill advised that he was attending the meeting to hear the discussion on item 7 on the Agenda.

Mr John Lowe advised that he was attending the meeting to hear the discussion on item 7 on the Agenda.

5. CHAIR'S UPDATE

The Chair provided a verbal update on matters arising since the Full Parish Council meeting on 28th March 2024 as follows:

The Chair thanked Councillors Ashfield and Lattin on their terrific work in securing the agreement of Whitfield Chemist on Sunderland Road to host the Parish Council's Terracycle boxes. The Chair remarked that the pill packet recycling scheme is a hugely popular initiative with local residents which has really put the Council on the recycling map. In Boots, the Chair reminded Members that the Council recycled approximately 300,000 packets. The Chair advised that whilst it is disappointing that Boots themselves ended the scheme without notice, it is great that the Parish Council has acted so swiftly on this to ensure that this provision is still in place.

The Chair also offered congratulations to the St. Nicholas Church graveyard working group for their exceptional work in improving this once neglected graveyard in the Sands part of the parish. The Chair reminded Members that the Clerk has recently circulated the group's latest newsletter and remarked that it is great to see the spirit of volunteering alive and well in the City. The Chair advised that he is aware that a lot of fundraising has taken place to support this work by Councillor Ashfield and others and the Council looks forward to seeing this completed and perhaps we can host a grand opening of the site.

The Chair advised that planning for tomorrow's big event for the unveiling of the Durham Ice Rink blue plaque has been taking place furiously and that he is aware of the amount of work the Clerk has put into this special occasion. The Chair remarked that the Council is delighted to welcome ITV and Jayne Torvill and Christopher Dean tomorrow for the unveiling event. The Chair gave a special thanks to those involved in this project and to Durham Sixth Form Centre; the Chair advised that the staff there have been outstanding in helping to arrange this event.

The Chair also extended his congratulations to Durham Hospital Radio on their recent awards at the National Radio finals earlier this month. The Chair advised that the Clerk presented Tony with the National Innovation Award earlier today; having been asked to do so thanks to his efforts in supporting the station raise a phenomenal £10,000 in recent years to support their work. This station offers patients and their families some much-needed comic relief in very difficult circumstances.

The Chair also offered a very big thank you too to Councillor Esther Ashby for her work in chairing the Fowler's Yard meeting with local businesses. The Chair advised that he has heard the meeting was well-attended by businesses and that the Business Committee will be progressing solutions for the waste issue in this area as soon as possible. The Chair advised that Members should be in no doubt that there is no magic wand or quick fix to this issue but it is great to have DCC working so proactively with us on this issue.

The Chair advised that representatives of our Planning and Licensing Committee recently met with DCC officers to go through the recent appeal decisions on HMO conversions in Neville's Cross and the Chair thanked Stephen Reed and Sarah Eldridge for making the time to meet with the Parish Council and go through this. The Chair remarked that it is startling to hear that over 240 pre-applications for conversions to HMOs were submitted last year alone; in that same period only 11 actually made it through to application stage. This serves as a reminder of the

excellent work officers do on this issue but also the continued development pressure our parish faces.

The Chair advised that he was alarmed to see a report today regarding the quality of school meals in County Durham – the Chair advised that he found it frankly scandalous that the nutrition levels, food waste levels, spiralling costs and quality are so desperately poor that children are coming home from school hungry and families are facing into increased costs still. The Chair advised that he supports the calls for the Council to review its existing contract and adopt a model similar to Brandon Primary school, as championed in the papers today by Councillor Elmer.

The Chair offered his many congratulations to Doctor Rosemary Coogan – a Durham graduate – who becomes the UK's third astronaut, following Helen Sharman and Tim Peake, and who is set for her first space mission. The Chair advised that this is yet further proof that not even the sky is the limit for what our Durham graduates can and are achieving in the world.

The Chair also took the opportunity to welcome Dasha Murphy to her new post as Durham University's Community Liaison Manager. Dasha takes over from Hannah who moves on to a more senior role within the University. The Chair wished them both the best of luck in these challenging roles.

The Chair also wished Alice Wilkes the very best of luck in her new teaching role. Alice has now left post at the Markets Company to return to primary school teaching. The Chair wished Alice well and advised that the Parish Council looks forward to working with Alice's replacement in due course.

6. PROPOSAL TO ESTABLISH A WORKING PARTY TO REVIEW COUNCIL POLICY DOCUMENTS/ STANDING ORDERS/ COMMITTEE TERMS OF REFERENCE.

The Clerk reminded Members that there is a need to review the Council's Standing Orders, Financial Regulations, Committee Terms of Reference and Council policies on an annual basis.

The Clerk advised that the Council usually agrees the establishment of a Working Group to review these documents each April, with recommended amendments coming forward for ratification at the Council's annual meeting in May. The Clerk therefore advised that there is a need for Members to agree the membership of the Working Group.

It was **agreed** that Councillors A Doig, E Ashby, J Ashby and S Walker should form a Working Group to review these documents and recommend any amendments to the May annual meeting of the Council.

7. CONSIDERATION OF APPLICATION DM/24/00705/FPA (PRINCE BISHOPS SHOPPING CENTRE HIGH STREET DURHAM DH1 3UJ)

The Chair thanked all Members who had carried out a lot of work on this important application and remarked that it was only right that a development of this

magnitude should be given as much consideration as possible and he was pleased to support this being the substantive item of discussion at this evening's meeting.

The Chair reminded Members that the application was supported with over 100 technical documents and drawings and, as such, the Parish Council's Planning and Licensing Committee had agreed to divide the workload on this into 4 specific areas and sub-groups as follows: Design and Conservation (architectural merit), Environmental and sustainability impact, Rationale / bedspaces needs assessment / hotel use and Construction method and transport.

Each sub-group presented findings from their assessments of this development proposal. In addition, Mr Michael Hurlow presented the City of Durham Trust's stance on the development, with a particular regard to the design of the proposed scheme.

Councillor E Ashby expressed her concerns about the development and advised that she would be voting in favour of objecting to the proposal in its entirety. Councillor E Ashby advised that she was concerned that the provision of small units only for independent retail would mean there will be limit options for the site if a business requiring a larger footprint wished to come to Durham.

Councillor E Ashby also felt that the scheme offered very little in terms of architectural merit and the significance of the Conservation Area in which the site sits.

Councillors E Ashby also expressed her concerns at the lack of space for community use within the development, in spite of repeated requests to the site owners.

Members agreed by 7 votes in favour and 1 vote against not to object to the development and to support this with the following main points:

- The Local Planning Authority rightly identifies this application as a major one. In fact, this proposal is likely to be the most significant application the City of Durham Parish Council, our residents and other important consultees will consider in the immediate Durham city centre this year, if not this decade.
- Its implications for both the vitality and viability of our city centre, our local retail economy and the wider region as a whole are substantial. The City of Durham Parish Council very much welcomes opportunities in principle to diversify and improve our city's retail and tourism offering.
- The Parish Council accepts that the current operating model for the centre is unsustainable and no longer financially viable. Our comments below are therefore not intended to be an objection but rather setting out a case for making this an exemplar mixed-use development.

Design and Conservation

- The development is located within the inner setting of the World Heritage Site and the Durham City Conservation Area, yet it adds very little architectural value at all, albeit the addition of the bridges and public square are generally welcome, the skyline is particularly flat and not in keeping with this part of the Conservation Area – not necessarily a point of objection but rather an observation that this could be better (**see doc: PROPOSED ELEVATIONS – RIVERFRONT**)
- The retail space which is proposed to be retained has been designed as smaller units, which are forecast to likely be occupied by smaller, more independent retailers, with some slightly larger units for national operators who wish to operate on a smaller scale. Whilst the provision of these types of units for smaller independent retailers is welcome, the development appears to restrict itself by adopting a “unit before operator” approach. This can be easily overcome in design terms if the internal walls within the unit were able to be moved/ altered in a way which would accommodate a larger retailer (**see doc: LANDSCAPE SITE PLAN - LEVEL 05 OVERVIEW**).

Environment and Sustainability

- We understand the justification for demolition and rebuilding of the site but this in itself will have an adverse environmental impact. As such, it is essential that this development, once built, is zero carbon. Whilst we welcome the addition of PV cells, electric panel heaters and air source heat pumps, we are not satisfied that these will be sufficient in ensuring that the full site is powered by renewable, green energy sources. Water Source Heat Pumps appear to have been discounted completely and we would ask that they be seriously considered (**see doc: ENERGY AND SUSTAINABILITY STATEMENT (pg. 28)**)
- We would also welcome a credible strategy to demonstrate that the development will contribute to the County Council’s Climate Emergency Response Plan and the goal to reach net zero by 2050. At present this is missing.

We are particularly keen to review this development against the following:

1. Nationally, the Climate Change Act 2008 (A legal duty to act - Climate Change Committee (theccc.org.uk))
2. County Durham Plan, paragraph 5.341
3. The Durham City Neighbourhood Plan, policy S1, items g) and h)

(**see doc: ES V1 - CHAPTER F CLIMATE CHANGE AND RESILIENCE**)

Bedspace assessment

- The Parish Council supports accommodation to the upper floors of premises where this subsidises the retention of the retail use to the ground floor (in this case level 5 of the development). As such, the Parish Council supports the PBSA on this site. However, the bedspace assessment is woefully mistaken. It 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 in the year 2027/28. On that basis, the document arrives at a need for between 3,830 and 10,480 more student bedspaces.

Whilst supporting this PBSA use of the site, we really wish to challenge this assessment in a very big way as others will use this as a justification for similar uses in less acceptable locations. We recommend that the applicant talk to the university about their future plans for student numbers which will mean that they can be much more realistic in their estimate. It is noteworthy that the Spatial Planning team has raised concerns about this too (see docs: **BEDSPACE ASSESSMENT** and **SPATIAL POLICY RESPONSE**)

Transport and construction

- Generally, we would like to see a phased re-development of the site as opposed to a single demolition. This may help in minimising disruption to local residents as well as offering existing tenants to keep trading as long as possible. There are very few alternative and appropriate “meanwhile use” units for these traders and their continued livelihoods is an overarching concern with how this development will be delivered.
- The proposed two car space layby next to Leazes roundabout (**see Appendix C of the TRANSPORT STATEMENT document**) is totally unworkable and actually detrimental to highways safety – where will a vehicle linger/ stay if these spaces are occupied – surely not on the roundabout? How will this be managed/ enforced? The arrangements at Leazes roundabout are complicated enough without adding to this – this layby should be removed entirely.
- The cycle parking is insufficient as Active Travel England have stated – far below the standards required in terms of spaces and the majority are located on deck 1 of the MSCP; doing nothing to promote the take-up of cycling as a sustainable transport means. This will be essential for a number of reasons:
 - 1) The site is on a national cycling route and therefore the development should promote its connection to this important sustainable transport link.
 - 2) The MSCP already has high occupancy rates (93% on Saturdays and 75% on Wednesdays at peak times) – adding vehicles for staff at the PBSA and hotel as well as other users will cause a serious deficit in parking spaces, made worse by the reduction of spaces from 401 to 392.(**see doc: TRANSPORT STATEMENT, ACTIVE TRAVEL ENGLAND response and SPATIAL POLICY RESPONSE**)
- The proposed drop-off/ pick-up for the hotel is in the Market Place – totally unworkable as this is exceptionally busy nearly all of the time.

Miscellaneous

- The Spatial Policy response states: "The OSNA sets standards based on sqm per person and sets out that it costs £1,581 per person to provide new open space to meet the County Durham standard for open space (to be borne by the developer as part of the development scheme). These calculations are to be used to calculate the required quantum of open space in sqm taking account of Table 19 of the OSNA which sets out the thresholds for when different typologies of open space should be delivered on or off-site. ***The OSNA states that where it is not possible and/or desirable to provide facilities on site, and the council are willing to accept a contribution to improve existing facilities off site, a 50% reduction in the above calculation will be applied in recognition that the cost to upgrade facilities can be less than providing new facilities altogether***".

The Parish Council is totally opposed to against a 50% reduction and stresses the need for the full 100% requirement for Section 106 monies to be applicable in this case.

- The Parish Council would like to see a unit dedicated as a community hub space and believes this will allow the community to make much better use of the facilities.
- The public toilets at the existing centre are well-used and should remain open throughout the development and additional public toilet facility should also be included with this development.

There being no further business, the Chair thanked all those present for their attendance and participation and closed the meeting.

Signed,



**Chair of the City of Durham Parish Council
(23rd May 2024)**