



**CITY OF DURHAM  
PARISH COUNCIL**

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Mr Graham Blakey  
Planning Department  
Durham County Council  
County Hall  
Durham  
DH1 5UL

City of Durham Parish Council  
Office 3 D4.01d  
Clayport Library  
8 Millennium Place  
Durham City  
DH1 1WA

7<sup>th</sup> September 2021

Dear Mr Blakey,

**DM/20/03558/OUT | Proposed residential development of up to 500 dwellings (outline including access) (amended 24th August 2021). | Land To The East Of Regents Court Sherburn Road Durham**

The City of Durham Parish Council Planning Committee discussed this application at their meeting on the 3rd September 2021 and decided to object to this application. Although the application site lies beyond the Parish Council boundary, the Parish Council has a proper interest because of the potential consequences in terms of traffic into and out of the Parish and on views to and from the World Heritage Site that lies at the core of the Parish area.

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises the planning policies of the County Durham Plan (CDP).

The NPPF, National Planning Practice Guidance (NPPG) and the County Durham Building for Life Supplementary Planning Document (2019 - BfLSPD) are relevant material considerations.

Eleven years have been spent in establishing whether the Durham City Green Belt should and could be used to meet the quantitative and qualitative need for housing in the County. That matter has been settled by the acceptance of the Examination in Public Inspector's required Main Modifications and the formal adoption of the County Durham Local Plan on 21 October 2020, which allocates Site H6 at Sherburn Road for 420 dwellings.

At the same time, the Government has endorsed the report of the Building Better, Building Beautiful Commission to promote and increase the use of high-quality design for new build homes and neighbourhoods.

This is therefore a critical moment to establish the true principles of sustainability, design and other key policies to ensure satisfactory development. A fundamental change of approach is needed.

The Parish Council considers that the key to a successful and sustainable development is for a master plan or design brief that genuinely incorporates and applies the principles of sustainability and high quality design, together with phasing and possible timing of each subdivision of the site. This major site is a precious resource to be carefully released for development over a number of years rather than an opportunity to roll out a standard housing layout. The masterplan must identify and deliver packages of land to meet the short, medium and long term demands as anticipated by the County Plan population and housing forecasts. This will ensure that development is phased in smaller and distinctive units avoiding a continuous building site appearance, and in a timely fashion where progressive improvements in housing style and function are possible.

At the EiP into the County Durham Plan, the Inspector's report made some telling points about the nature of the development on this major housing site. In his required Main Modifications, now implemented, the County Plan Inspector in his Final Report said of Sherburn Road:

*“96. Because of the site’s location and relationship with heritage assets, development needs to be sensitively designed and landscaped. This can be ensured by the requirements of parts n, o, s and t of policy 5, although a number of modifications are required to the detailed wording and the reasoned justification to ensure that they are effective in preventing any harm to the setting of heritage assets and safeguarding the character and appearance of the area.”*

*“97. The motorway and its wooded embankment would represent a readily recognisable physical feature to provide a permanent Green Belt boundary to the east. The southern boundary is currently weakly defined by a fence and recent planting at the point where the land starts to fall more steeply. Part t of policy 5 (subject to MM53) refers to a 20 metre wide landscaped area which should be effective in creating a recognisable and permanent Green Belt boundary in this location. A hedge along the proposed Green Belt boundary and existing buildings at Bent House Farm would separate the development from the open countryside to the west, and part n of policy 5 should ensure that the character of the farm is protected.”*

*“98. Part s of policy 5 would ensure that the proposal delivers compensatory improvements to the environmental quality and accessibility of remaining Green Belt land in the Old Durham Beck valley.”*

The Parish Council notes that the proposed site has now been extended and, as a result, now covers the entirety of County Durham Plan Policies 4 and 5 Sherburn Road site. It is therefore disappointing that no masterplan for this site appears to have been produced, as per the EiP Inspector’s requirements. County Durham Plan Policy 5 is clear that: *“Development is required to be comprehensively masterplanned and to demonstrate how the phasing of development on these sites will have regard to the provision and timing of the infrastructure and services*

*necessary to support them.*" Given that no masterplan has been provided, the Parish Council submits that this application is in direct conflict with this important Policy.

The Parish Council has significant concerns that the proposal does not comprise sustainable development as required by the development plan and the NPPF. In terms of traffic consequences, it is probable that the new residents of Site H6 will look to Durham City for most employment, educational, retail, and leisure services. These are largely located within the City of Durham Parish Council's area, and the County Council must therefore invoke Policies 5 and 23 of the County Durham Plan to ensure that sustainable means of travel into the Parish area are created and that linkages into the cycling and footpath network within the Parish area are provided, as complemented by Durham City Neighbourhood Plan Policies T1 and G3.

The submitted application documents provide no reassurance that the future occupants of the proposed development would have sufficient access to sustainable modes of transport. The focus appears to be on the private car. This will obviously have a negative effect in the Air Quality Management Area of Durham City unless there is a major shift to sustainable modes of travel to and from the site.

Policy 21 of the CDP is clear that all development must deliver sustainable transport. That it must deliver, accommodate and facilitate investment in safe, sustainable modes of transport. Also, that it must provide appropriate, well designed, permeable and direct routes for walking, cycling and bus access, so that new development clearly links to existing services and facilities. Furthermore, that appropriate provision for electric vehicle parking should be made within developments.

It is disappointing that the submitted application in fact worsens the pedestrian and cycle access to and from the site from Durham City and that no provision for a bus service within the site has been made by the developer. Furthermore, the submitted documents illustrate that the proposed development incorporates somewhat limited proposals to achieve reductions in CO<sub>2</sub> emissions. Both CDP policy 29 and the BfLSPD are clear that new development must achieve reductions in Co<sub>2</sub> emissions.

The Parish Council considers that the proposal would not deliver sustainable development as a result of its reliance on the private car for residents to access employment, services and facilities in Durham City. Furthermore, the new dwellings incorporate limited proposals to achieve meaningful reductions in CO<sub>2</sub> emissions. As a result, the proposed development is contrary to the provisions of the development plan, particularly CDP policies 21 and 29, sections 2, 9 and 14 of the NPPF, as well as the BfLSPD.

CDP Policy 4 allocates the application site for housing with an estimated yield of 420 dwellings (ref H6 (4/DU/104)). Whilst the Parish Council accepts that the application site is allocated for housing within the CDP and therefore the principle of the proposed development of the site for housing is acceptable, it is considered that the density of the proposed development for

500 dwellings is too high. The Parish Council submits that the increased density, from 420 to 500 dwellings, is not appropriate for this sensitive location, which is located adjacent to an area of high landscape value and the green belt.

Policy 39 of the CDP is clear that development affecting areas of higher landscape value will only be permitted where it conserves and where appropriate enhances the special qualities of the landscape. Furthermore, CDP policy 29 requires new development to contribute positively to the character of an area, which includes landscape features. Paragraph 5.301 explains that lower densities may be more appropriate in response to the prevailing existing character of a site and that the density of development should be a product of a robust site assessment, which responds positively to the county's exceptional environmental quality.

The increased density will put greater pressure on local schools, GP surgery (located within our Parish at Claypath), transport networks and other key services.

The Parish Council submits that, as a result of the inappropriate density, the proposed development comprises over development. As a result, it would have a negative impact on the adjacent area of high landscape value, contrary to policies 29 and 39 of the CDP.

Approximately 20% of this site lies within the inner setting of the World Heritage Site, and if the current application to extend the boundaries of the site is successful, the impact will be even greater. CDP Policy 5 o) is clear that "*outward views to the Durham Castle and Cathedral World Heritage Site will be retained and framed with any effects on the inner setting of the World Heritage Site minimised and harmful impacts avoided*". Much more detail and consideration are required to be given on the impact of this development on views to and from the World Heritage Site. There appears to be no recognition by this developer that the site is within the inner setting of the World Heritage Site. CDP Policy 45 is clear that: "*The Durham Castle and Cathedral World Heritage Site is a designated asset of the highest significance. Development within or affecting the World Heritage Site and its setting will be required to:*

- a. sustain and enhance the significance of the designated asset;*
- b. be based on an understanding of the Outstanding Universal Value of the site, having regard to the adopted World Heritage Site Management Plan and Statement of Outstanding Universal Value; and*
- c. protect and enhance the Outstanding Universal Value, the immediate and wider setting and important views across, out of, and into the site. Development that would result in harm to the Outstanding Universal Value of the World Heritage Site or its setting will not be permitted other than in wholly exceptional circumstances."*

The Parish Council submits that this application is contrary to Policy 5 and Policy 45 of the CDP.

For all of the reasons set out above, the Parish Council urges that this application be refused without delay.

Yours sincerely,

**Adam Shanley**

**Clerk to the City of Durham Parish Council**