

28, Church Street, Durham DH1 3DG

01/12/09

To Durham County Council

Ref former Durham City bowling green and Elvet Waterside development plans.

Application nos. 08/00002/FPA, 08/00003/FPA

Date of application: Jan 3rd 2008

Elvet Residents' Association [ERA], and thousands of people in and around Durham City have had anxieties, for over three years, about proposals to build on any of the existing green space east of the wall next to the former city swimming baths at Elvet Waterside.

The purpose of this letter is threefold. Firstly we wish to summarise the background to the development plans from our perspective. Secondly we would like to request an update on the status of this application following the letter from the Environment Agency dated 26 October advising they were revisiting data compiled by Entec for the developers. Thirdly, ERA would like to offer its services and expertise to the Riverbanks Liaison Group, which we understand will be reformed, following the decision by the Durham AAP to appoint a Riverside ranger. Finally we would like to thank the new unitary council for the courtesy with which it has so far dealt with our enquiries.

Who are we? A group of local people who are concerned about our city. We aim to promote community awareness and quality of life in our area, which we of course share with many visitors. A sub-group emerged from the ERA membership to highlight and campaign on the above issue. We are a non-political group. We support re-development of the rest of the Elvet Waterside site and most definitely wish Durham City to progress and thrive. We do feel the need to re-iterate the journey of the campaign thus far, which has proved to be persistent and strong because the issue is well-

understood and there is great strength of feeling amongst the many visitors to Durham as well as those who live here. Also there are new circumstances emerging.

What are we seeking to achieve? To retain all the existing green open space east of the wall next to the former city swimming baths at Elvet Waterside including the publicly-owned former City Bowling Green. We feel it could become a great park in a popular and well-used area, enclosing and augmenting the children's' play equipment which is currently sited on the riverbank and is of poor quality. Many people use these riverbanks during the week and more at the weekends. More recently the footfall has noticeably increased because the excellent Kingfisher Bridge upstream at Maiden Castle has created a circular walk and bike path.

We are in favour of developing the remainder of the Elvet Waterside site, that is the old swimming pool and University car parks, which is designated 'brownfield'.

The History. We enclose a copy of the original map showing the land sold in a kindly and courteous exchange [as recorded in the local paper] between Durham University and Durham City Council for a modest sum in 1944. At the time a Protective Covenant was wisely placed by the University on the bowling green and the promenade to prevent development near their land.

- The Bowling Green at the corner of the famous racecourse [as seen on old maps] is designated an Area of High Landscape Value [AHLV]. The Case Officer for this development sought independent legal advice as to the status of the green spaces. The bowling green was designated as GREENFIELD, never having been built on. Having thoroughly researched the area, we would argue that the triangle of land behind the bowling green, equally part of the ancient racecourse and therefore never built over, should also be confirmed as greenfield.
- When the former City Council requested that the University revoke the Covenant on the green we made a formal complaint about process.

- Autumn 2006. The first Petition opposing the development on the former Bowling Green was presented to the Mayor [Cllr Jeff Lodge] on the 4th November at the bowling green. [1500 signatures]
- January 2007. The second Petition asking the University Council of Durham to uphold the 1944 Restrictive Covenant was presented to Vice-Chancellor Kenneth Calman on the steps of Old Shire Hall. [1057 signatures]
- Summer 2007. The third Petition asking the MP for Durham, Dr Roberta Blackman-Woods, for her support was presented to her outside the bowling green and subsequently she presented it in Parliament. [3402 signatures]. Copies of all Petitions are available for inspection.

PLANNING:

- During the tenure of the now defunct District Council there was no core strategy for Durham City. Durham City 20/20 Vision produced a consultative document in which Elvet Waterside was earmarked for development but the AHLV was not included.
- The bowling green was also NOT included in the Development Brief we were given at the outset of the consultation period with Banks, the chosen developers. [The Development Brief was in any case a clear departure from the Local Plan of 2004].
- The site is designated as a Flood Zone 3 by the Environment Agency. It is a functional floodplain as amply demonstrated on July 18th 2009 when the green flooded at the outset as the banks were broken.
- Strategic Flood Risk Assessment [SFRA] for Durham City was not in place when the plans for Elvet Waterside were submitted. We have a copy of a critical letter sent to Durham City Council Planning Department by the Environment

Agency in October 2006 which specifically objects to some of the site allocation at Elvet Waterside.

- Eventually the SFRA was compiled by Entec and contains information which Elvet Residents' Association were asked to supply at short notice concerning anecdotal knowledge about flooding from the drains in Elvet during the previous twenty years. We did our best but know this information was incomplete. We asked for more time but this was denied. In addition the report contains a major error in that it terms the entire Elvet Waterside as 'brownfield' which it is not [see above under 'History'].
- In a letter dated October 26th 2009, the Environment Agency informed Elvet Residents Association that they are now re-visiting the data compiled by Entec for the developers, upon which they based the decision to remove their objection to the proposed development.

Where are we now?

- We have fortunately been received with great courtesy by Officers of the new authority. The hedges around the green have been properly trimmed [for the first time in years apart from when private contractors have done a major clean-up for private functions during Durham Regatta]. Also a bin has been installed - for which many thanks. We have noticed increased use of the Green.
- Also discussed with the Streetscene Manager for Durham and Easington, Keith Parkinson, was the pressing need for new toilet facilities - a modern design as in other such situations. However presumably this cannot happen until the future of this area has been decided.
- The reconvening of the Riverbanks Liaison Group under the auspices of a Riverbank Ranger - potentially to be funded by the ~~Central~~ Durham AAP - is a great idea and we would like to offer our support and help.

Yours sincerely,

Ian Tucker, Pippa Bell, Janet Gill and Linda Lovell

cc Neil Foster [portfolio holder for Planning and Regeneration]

Ian Thompson [Director of Planning and Regeneration]

Stuart Timmiss [Director of Planning]

Nigel Martin [Chair Durham AAP]

Patrick Conway [Chair Public Reps Group, Durham AAP]

Ian Miller [Chair 'Public Service Partners Group, Durham AAP]

Enclosures:

A letter from November 2006 from some long-standing residents of Church Street, which summarises, we feel, the deeply felt sense of outrage at that time and which still prevails.

A map of the land sold in 1944

A local Artist's impression of a fairly simple park which would nevertheless be a wonderful facility for the use of many families who walk around that area of town