
Report of Corporate Management Team

**Ian Thompson, Corporate Director Regeneration and Economic
Development;**

Councillor Neil Foster, Cabinet Portfolio Holder for Regeneration

Purpose of the Report

- 1 To approve the Milburngate House Design and Development Brief for use in planning and related matters.

Background

- 2 The brief is the result of a joint commission between National Savings and Investments (NS&I) and Durham County Council (DCC) for the Milburngate House site, which is owned by NS&I.
- 3 NS&I are looking to move to the Freemans Reach site and are therefore considering the future of their existing premises. Taylor Young Ltd were appointed to produce a brief, the purpose of which is to establish clear guidelines for this sensitive city centre site in order to guide potential developers when they consider redevelopment of the existing building.



Milburngate House

- 4 NS&I have been working with DCC and the Homes and Community Agency (HCA), owners of the Freemans Reach (former Ice Rink) site on the opposite side of the river. This is to establish a development partner, with NS&I

becoming the tenant of the first phase of a new development. The development proposals are shortly to be taken through the planning pre application stage. It is anticipated that NS&I will be able to relocate from Milburngate House in 2014 and they are proposing to market the site in the summer of 2012. Vacating Milburngate House and offering the site for redevelopment is seen as the most cost effective solution due to the deteriorating condition of the building and increasing repairs/improvement costs.

The Brief – consultation and content

- 5 The brief has been the subject of extensive consultation during its preparation, with consultation with a specific range of stakeholders and in addition two rounds of public consultation. The first in May 2011 was to establish reaction to site issues and options through a well attended two day public exhibition in Durham Town Hall. The second (November 2011) was to refine the content of the brief that incorporated comments from the first consultation and this was carried out by e-mail distribution to interested parties. Details of the consultation exercises, and on how the brief has been refined to reflect comments received, are included in the brief.
- 6 The document is in two principal parts, firstly, an analysis of the site constraints and, secondly, opportunities and design guidelines. It also includes analysis of the capacity for a potentially acceptable range of uses that would be able to meet the design guidelines.
- 7 The main issues dealt with are the access restrictions from the busy City Centre roads and the relationship with the City's heritage. The principal heritage issues are the relationship with the World Heritage Site (WHS) and the surrounding conservation area. Suggested limitations on height and extent are included to avoid undue impact on WHS views. Site specific suggestions for handling development are intended to maximise the beneficial impact of replacing the existing discordant building.
- 8 In relation to potential land uses, these focus on: residential use; retail or other town centre uses; or leisure, and in particular restaurants, cafes and bars. This is not a definitive list, retaining or replacing office use remains a possibility and other uses may be acceptable, indeed it is important that other existing occupiers of the site are taken into consideration as future options are explored. Those uses forming examples in the brief have been tested in terms of planning and highway suitability and also are considered to be realistic commercial propositions as verified through a property market review.
- 9 Setting guidelines helps give developers confidence in the opportunities for the site and provides clear suggestions for judging the quality of new development during the planning process. It was not suggested that the brief should be adopted as a supplementary planning document in association with the County Durham Plan. Adoption by the County Council as a brief provides sufficient robustness to enable use in the planning process as the proposals within accord with the saved policies of the City of Durham Local Plan.
- 10 The brief is intended to deal with full redevelopment of the whole site. Market reaction to such a development opportunity in the current economic climate is

difficult to predict and an option for part retention of the building could emerge. If it does, changes may still be related to some of the design parameters in the brief which would also guide any new sections of development. Renovation of any retained building will still need to respect the sensitivity of its setting and uphold quality of design.

Recommendations and Reasons

- 11 It is recommended that the Design and Development Brief for Milburngate House (February 2012), is adopted by the Council to support future redevelopment.

Background Papers

Taylor Young: Milburngate House – Design & Development Brief February 2012 - a copy has been deposited in the Members' Resource Centre.

Contact: Gavin Scott Tel: 03000 261918

Appendix 1: Implications

Finance –

The costs of preparing the brief have been met jointly by National Savings and Investments and Durham County Council, each paying £22,900 out of £45,800.

Staffing –

None

Risk –

The brief acts as mitigation against development that would prove difficult to approve through the planning process.

Equality and Diversity / Public Sector Equality Duty –

Reference to Article 12 of the Constitution (12.03) indicates that adoption of the brief does not represent a “Key Decision” as such it is not subject to EQIA. The brief has however, been prepared in a way that any outcomes would be expected to deliver development that fully addressed equality and diversity issues.

Accommodation –

None

Crime and Disorder –

None

Human Rights –

None

Consultation -

Consultation was embedded in the production of the brief as follows:

- a) Through individual consultation with local stakeholders and including English Heritage.
- b) A two day consultation took place at Durham Town Hall on Friday 20th and Saturday 21st May 2011. Boards were presented displaying proposed designed principles and a series of potential approaches to the site’s redevelopment. The views of the attendees were gathered using a feedback form that also enabled ranking of various site options.
- c) November 2011 e-mail and internet based consultation including :
 - Brief downloadable from Durham City Vision website link from Durham County Council website.
 - Separate briefing note to County Council members.
 - Local MP
 - Key stakeholders - inc. retail and residents group representatives.
 - To DCV Board including Cathedral and University representatives.
 - Via Area Action Partnership to Forum members.
 - To local residents groups
 - To previous respondents from first consultation.
 - To City Centre respondents to previous DCC planning consultations.
 - In response to requests following Durham Times/Northern Echo article.

Procurement –

Procurement of the consultants for the brief was carried out using Durham County Council procedures. No further procurement is anticipated.

Disability Issues –

Access issues are dealt with in the development brief.

Legal Implications –

There are no specific legal implications for the Council as the site is in third party ownership, although the appropriate redevelopment or reuse of the site would be a major benefit for the City and County. Council adoption of the brief gives it more weight to guide potential developers bringing forward future schemes. The Council has supported the preparation of the brief and the public consultation to ensure that it reaches a wide audience.