

# Durham – Neighbourhood Plan

Consultation Draft - November 2017

## WHS Coordinator's Comments

The Neighbourhood Plan is particularly welcome in relation to its inclusion of the World Heritage Site (WHS) and its setting. The descriptions of heritage and how it relates to Durham, valuable community research and reference to the WHS Management Plan 2017 are likely to prove very useful in relation to implementing the WHS Action Plan. As the WHS Management Plan is now operational following consultation and is lodged with UNESCO, it can be treated as a material document for the purposes of identifying sources and support for the Neighbourhood Plan.

These comments are suggestions in relation to the Draft Neighbourhood Plan, November 2017. There are also observations on the background to the policies and themes of the Plan. It may be useful to discuss these with the steering group for the Plan.

Extracts from the Draft are followed by comment.

## 4.2(a) THEME 2a: A BEAUTIFUL AND HISTORIC CITY – HERITAGE

### 4.2(a).3 Justification

4.34 Locally, the value of Durham's heritage is acknowledged by the designation of the Cathedral and Castle as a World Heritage Site (Durham World Heritage Site, 2016, 2017), and designation of the Durham City Conservation Area (Durham County Council, 2016e)

**4.34 Comment** - WH Sites are internationally recognised, although appreciating the reference is to the local, it may be worth noting this international significance and the high, arguably national, significance of the Conservation Area.

## Policy H1

### Policy H1: Protection of the World Heritage Site

H1.1: Durham Cathedral and Castle World Heritage Site and its setting will be protected by:

1. supporting the World Heritage Site Management Plan; and
2. supporting the proposed expansion of the World Heritage Site boundary to include all defences, the loop of the river gorge of the Peninsula and inner and outer banks of the River Wear gorge; and
3. supporting the proposed boundaries of the inner setting and outer setting within Our Neighbourhood.

### Policy H1.1 (3) Comment

UK DCLG Planning Guidance is:

*“It may be appropriate to protect the setting of World Heritage Sites in other ways, for example by the protection of specific views and viewpoints. Other landscape designations may also prove effective in protecting the setting of a World Heritage Site. However it is intended to protect the setting, it will be essential to explain how this is to be done in the Local Plan”*

Prior to the publication and adoption of the new County Durham Plan or any supporting Supplementary Planning Documents, the Neighbourhood Plan will provide invaluable support for the protection of the WHS setting and expansion of the boundary. Coupling existing policy (Saved City of Durham Local Plan and NPPF) with the Neighbourhood Plan policy will help protect the setting area without requiring further designation as a buffer zone with attendant and difficult planning policy changes.

**Policy H1.1 (3) Comment** – The outer setting is a more diffuse, less defined area, effectively without a boundary, a rephrasing based on the WHS 2017 Mgt. Plan could be ***‘supporting the proposed inner setting boundary and the outer setting view areas within Our Neighbourhood’***.

## Policy H1.3

H1.3: Development proposals must safeguard views in Our Neighbourhood from and to the World Heritage Site, in that they:

- a) include an assessment of how the finished development will be viewed from and towards the World Heritage Site; and
- b) are in harmony with the World Heritage Site in terms of scale, massing and choice of materials; and
- c) provide, wherever possible, an opportunity to open up new views both from and to the World Heritage Site.

**Policy H1.3 Comment** – Further discussion of this may prove mutually beneficial. The Management Plan attributes have been tested through comments on planning applications detailing the impact on the WHS, its OUV and attributes.

Key areas have been:

- Panoramic views where the development is not seen directly juxtaposed against the WHS buildings but where they appear together in a sweeping view
- The general townscape and landscape providing the foreground/backdrop to the WHS where quality and appropriateness can be impacted upon by new development. This is especially applicable to the key historic core of the City.
- The historic approaches to the WHS – historic bridges and pilgrimage routes
- The quality of the inner setting – impact on approach routes.
- Smaller but potentially cumulative changes with negative impact

This is mostly visually based but not solely confined to views of the development from and towards the WHS. An example is visual detracting on the skyline/ridge defining the inner setting resulting from the approved prominent white rendering on the Kepier Heights student housing development. Comments have ranged across redevelopment of the buildings abutting key

historic bridges, shop fronts on the historic street approaches, illuminated signage, skyline developments, a telecom mast in the inner setting and buildings within the WHS riverbanks.

Particular design issues identified with relevance to local character in the WHS Management Plan Appendix 4, Section A4.9.5. Character and Change I-VI are:

- Density and massing
- Building Size/Building Line
- Architectural Style
- Architectural Details/Proportions
- Building Materials
- External areas and spaces between buildings
- Edge of building and the public realm
- Lighting
- Street Furniture

Others causes of concern have been:

- Rendering and painting of buildings in the historic core, including inappropriate colour changes
- Lit signage and advertising in historic streets
- Inappropriate window and door treatments
- Infrastructure in the WHS inner setting area – telecommunications mast

Without causing over complication or repeating the cover given by the Neighbourhood Plan Conservation/Character Area policies, key additions in the policy could deal with:

- Expanding the WHS references to include attributes, approaches and setting (within the Plan area)
- Protecting the quality of the setting (within the Plan area)
- Assessing views that include the development proposals and the WHS
- Checking for cumulative impact on the WHS and setting
- Adding external areas and lighting to the 'harmony' list

## **Policy H2: The Conservation Areas**

H2.1: The Durham City Conservation Area will be protected and enhanced by supporting Durham County Council's Management Plan for this area.

H2.2: Development proposals within and affecting the Durham City Conservation Area and Burn Hall Conservation Area will only be permitted if they fulfil the following requirements:

1. retain, or enhance, the continuous frontages respecting the historic and architectural qualities of the buildings unless it can be demonstrated that the substantial harm to or loss of such frontages are necessary to achieve substantial public benefits that outweigh that harm or loss; and
2. have sensitive scale, density, massing, height, landscape, layout, detailing and materials to reflect the intrinsic local character; and
3. avoid demolition of buildings of historic and/or architectural interest which contribute to the character and appearance of the locality, unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweigh the loss; and
4. avoid loss of an element of a building which makes a positive contribution to its individual significance and that of the immediate area unless it can be demonstrated that the substantial harm or loss of the element is necessary to achieve substantial public benefits that outweigh that harm or loss; and
5. use traditional and non-traditional design sympathetic to the traditional character of the area; and
6. have high design quality with regard not just to the context of the immediate area and its local distinctiveness, but also to the landscape and the setting of the Durham World Heritage Site. Applicants need to convincingly demonstrate their understanding of the site's context and how it has influenced their design; and
7. maintain the historic streetscape with regard to the medieval street patterns of tightly packed buildings, covering both the back and front of plots; and

8. ensure a presumption in favour of retaining historic burgage plot boundaries; and
2. provide or improve pedestrian access and connectivity of the development to the rest of the city; and
3. avoid the cumulative impact of development schemes dominating either by their size, massing or uniform use.

**Policy H2 Comment** – This should provide useful support for engaging with new development and change in the areas around the WHS and within its setting.

At the risk of over-extending the list in **H2.2.2**, it may be worth capturing key elements for new development that have caused concern. Under detailing, this could include windows and doors and wall finishes (covering rendering and painting changes). Lighting and advertising could also be added to draw in issues of external lighting, shop signage and lit advertising.

## **Policy H3**

### **Policy H3: The Character Areas**

To protect and enhance the Character Areas, development proposals will only be permitted if they fulfil the following requirements, where applicable:

1. use materials which reflect the architectural period of the specific character area and individual localities within it; and
2. sensitively restore architectural features on listed buildings and on non-designated heritage assets, appropriate to the specific character area and individual localities within it; and
3. propose re-use or change of use which preserves the distinctive features of the building and is appropriate to the specific character area and individual localities within it; and
4. retain and improve distinctive shop fronts and signage, appropriate to the specific character area and individual localities within it.
5. Applicants need to convincingly demonstrate their understanding of the specific Character Area, and individual localities within it, and how it has influenced their design.

**Policy H3 Comment** – Useful and supportive as published

## **Policy H4**

### **Policy H4: Our Neighbourhood Outside the Conservation Areas**

To protect and enhance Our Neighbourhood outside the conservation areas development proposals will only be permitted if they fulfil the following requirements:

1. protect and enhance the distinctive setting of the individual neighbourhoods; and
2. use high design quality that is sympathetic to the character of the individual neighbourhoods. Applicants need to convincingly demonstrate their understanding of the neighbourhood's character and how it has influenced their design.

**Policy H4 Comment** – Useful and supportive as published

## **Policy H5**

### **Policy H5: Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Registered Battlefields**

H5.1: Designated heritage assets will be safeguarded from inappropriate development and from demolition, unless it can be demonstrated that any substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

H5.2: Development proposals that would adversely affect the site of a designated heritage asset will not be permitted.

H5.3: Development proposals will be supported if they:

1. retain, repair and return Listed Buildings to appropriate compatible use; or
2. preserve and conserve Listed Buildings or Scheduled Ancient Monuments at risk (see Appendix C); or
3. enhance the historical value of registered parks and gardens or registered battlefields.

**Policy H5 Comment** – Useful and supportive as published

## Policy H6

### Policy H6: Non-designated Heritage Assets

H6.1: Non-designated heritage assets will be safeguarded from inappropriate development, and from demolition, unless it can be demonstrated that any substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. (See Appendix C)

H6.2: Development proposals will be supported if they preserve and bring back into use non-designated heritage assets at risk. (See Appendix C)

Policy H6 Comment – Useful and supportive as published

## 4.2(b): THEME 2b: A BEAUTIFUL AND HISTORIC CITY – GREEN INFRASTRUCTURE

### Policy G1.9 & G1.10.

#### *Protecting and enhancing the banks of the River Wear*

G1.9: New developments, or major redevelopments, next to the banks of the River Wear in Our Neighbourhood will be required to provide a safe pedestrian path along the riverbank, and if possible a green corridor for wildlife and cycle access, in that order of priority. Existing green corridors and dark corridors must be retained.

G1.10: Development proposals which provide additional access points to the banks of the River Wear will be supported. Existing green corridors and dark corridors must be retained.

**Comment on Policy G1.19 & 1.10** – The reference to dark corridors is particularly useful in relation to the WHS setting and expansion area. The status of the City of Durham Light and Darkness Strategy (Spiers and Major, 2007) has been uncertain as a result of lack of public consultation and Committee approval (a copy can be provided). However, it provides a useful background and can be considered as informative in relation to the Neighbourhood Plan. It could be referenced in the justifications and notes on these policies. The policy could be extended to include a reference – **G1.9 & 1.10. Existing green corridors and dark corridors must be retained. New lighting proposals should not harm dark corridors.**

## Policy G2

### Policy G2: Designation of Local Green Spaces

G2.1: Green spaces within Our Neighbourhood that are of significant environmental, landscape or historical value are designated as Local Green spaces. These areas, as shown on the proposals map, comprise:

1. The River Wear corridor that lies within Our Neighbourhood; and
2. Observatory Hill; and
3. Flass Vale Local Wildlife Site and Local Nature Reserve and North End allotments and leisure gardens; and
4. St Margaret's Cemetery plus St Margaret's allotments; and
5. DLI grounds; and
6. Woodland on the south side of the City, comprising Maiden Castle Wood, Great High Wood, Hollingside Wood and Blaid's Wood; and
7. Battle of Neville's Cross: the undeveloped area of the registered battlefield site within Our Neighbourhood.

G2.2 Development in these Local Green Spaces must be consistent with NPPF policy

for Green Belts.

**Policy G2 Comment** – Useful and supportive as published

## APPENDIX C: HERITAGE ASSETS LIST OF NON-DESIGNATED HERITAGE ASSETS, AND OF HERITAGE AT RISK (BOTH DESIGNATED AND NONDESIGNATED)

**Table C1: List of Non-Designated Heritage Assets in the Durham City Conservation Area**

Character Assessment Area	Character Assessment Sub-area	Non-Designated Heritage Asset
Area 1 Peninsula	<i>Palace Green</i>	The Pace Building (extension to Palace Green library)
		Former detached garage at Moyners Garth
		No. 1 Dun Cow Lane
	<i>The Baileys</i>	No. 50 North Bailey
		Hatfield College private chapel
	<i>Saddler Street</i>	62, 66 Saddler Street
	<i>Market Place</i>	No: 8 to 10 Market Place
<i>Silver Street / Fowlers Yard</i>	Silver Street No: 9a, 9b, 10, 11, 13/15, 18, 24, 29	

**Table C2: List of Heritage at Risk in the Durham City Conservation Area**

Character Assessment Area	Character Assessment Sub-area	Heritage at Risk (listed buildings marked with *) (in the national Heritage At Risk Register = ‡)
<b>Area 1 Peninsula</b>		Castle Walls*‡
	<b>Saddler Street</b>	34, 35 and 35a Saddler Street*
	<b>Riverbanks</b>	Count's House*
		Prebends Bridge*‡

**Table E1: Landscape and Natural Environment Sites in Our Neighbourhood**

<b>Parks, Gardens and Woods</b>	Botanic Gardens, Durham University, South Road
	The Houghall Arboretum and Pinetum, East Durham College, Houghall Campus
	Crook Hall Gardens
	Linear Park, Mount Oswald (proposed)
	Low Burnhall, Woodland Trust wood
	Peninsular Woodlands

**Comment on Tables C1, C2 and E1** – There is a tendency to concentrate on buildings and not to consider gardens and walks as heritage assets in their own right.

The work produced to support the HLF bid for the Riverbanks Gardens in 2008 (Bureau Veritas) concluded that the Riverbanks Gardens are of sufficient heritage significance to be suggested for inclusion on the national Register of Parks and Gardens of Special Historic Interest. At the very least this means they should qualify for inclusion as a non-designated heritage asset. The same can be concluded for the collection of reformation gardens /walks at the Castle – The motte and moat walks, North Terrace and Bishops Walk. The other walks – Prebends, Hatfield and Principals, could all also have separate reference. The 18thC landscaping of the Prebends Bridge approaches and quarry walks on the outer banks can also qualify in their own right as a heritage asset.