

**THEME 2A: A BEAUTIFUL AND HISTORIC CITY – HERITAGE  
PLANNING ISSUE OR ACTION FOR CONSIDERATION  
16th March 2018**

The comments for Theme 2a that raise planning issues or actions that need consideration are listed below.

The comments have unique codes as follows:

- EQ = electronic questionnaire response
- Q = paper questionnaire response
- EM = email response
- WC = web comment

However, no personal details have been provided.

The letters making comments relevant to this theme are coded as follows:

- L4: Campaign to Protect Rural England
- L7: Durham Cathedral
- L8: Durham City Cricket Club: response
- L9a: Durham County Council Appendices ABC
- L10: Durham Miners Association
- L11: Durham Pointers
- L12b: Durham University
- L13: Elvet Residents Association
- L15: Gladman Developments
- L16: Historic England
- L23: Neville's Cross Community Association
- L28: World Heritage Site Co-ordinator
  
- The codes for categorising the comments are as follows:
- c1: outside the remit of the neighbourhood plan
  - c1a: outside the Plan area
  - c1b: planning issue that has to be dealt with by the Council or by other bodies not by a neighbourhood plan
  - c1c: not a planning issue
- c2: a generic style comment of praise, blame, opinion etc not requiring a response just an acknowledgement
- c3: suggesting changes to the policies
- c4: suggesting changes to the projects
- c5: suggesting changes to the other text of the Plan

The issues for consideration are listed under a general section and then under each policy. For clarity, under each section only the relevant text in the columns is included. Similar comments have been grouped together as far as is possible.

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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>General comments about theme, or relevant across policies</b>		
Sub-sections cover: <ul style="list-style-type: none"> <li>• Views</li> <li>• Projects</li> <li>• Appendices</li> <li>• Other</li> </ul>		
<b>Views</b>		
EQ05. Some of the best views of the cathedral and castle from surrounding vantage points are disappearing behind maturing trees. Future planting of trees should take this into account i.e. It might be that where some trees are lost to disease , landslides etc they should not be replaced with the same species Copied to Theme 2b	c3. Concern about disappearing views of castle and cathedral due to trees and therefore suggest care in future planting.	c3. Consider changing Theme 2a Policies re protection of views in co-ordination with Theme 2b.
EQ18. New buildings not to dominate views of heritage sites Copied from theme 1	c3. Concern re protection of views	Consider policy changes re protection of views
Q11. What's often ignored is how retail occupancy & student accommodation grab views of Durham's sights that should be available more widely,	c3. Concern over protection of views.	Consider changes to policies re protection of views
<b>Projects</b>		

<p>Q25. URGENT PROJECT: possible location former Loveshack – Estate House, Sadler St Page129 Project 14 Visitors &amp; Tourists STORY OF DURHAM. P12 Consultation Draft: ‘What is good about Durham City Centre’ star ratings indicate the public’s concern for heritage – WHS &amp; Historic City. Ref to P24 4.28’Appreciation and understanding of the history and heritage of the City and WHS of Norman Castle and Cathedral to encourage informed participation in caring for this heritage for the cultural benefit and well being of present and future generations? Durham City has a unique story as the ONLY prince-bishopric in the UK, with a fascinating history. It needs not only a visitor centre, but a vibrant imaginative museum / interpretation centre. Local historians: ... are mines of information. NOT TO BE LOST.</p>	<p>c4 Suggests projects to illustrate and participate in Durham’s heritage. Addressed by Projects 9 and 14 and WHS Action Plan.</p>	<p>Consider projects: 9 and 14</p>
<p>Q69. Existing landowners and occupiers should be tasked with ensuring buildings within the Conservation Area and the WHS should be brought up to a modern and high standard of appearance. Kingsgate Bridge is an obvious and sorry example of such neglect and needs a radical clean and regular maintenance. Other property, often occupied by students is often in a poor state of repair, and this needs to be urgently addressed. PART Copied to Theme 4</p>	<p>c2 Concern about poor state of buildings within Conservation Areas and WHS. Some of these issues are addressed in Projects 3 and 9.</p>	<p>Consider additional projects to enhance the appearance of buildings in conservation area and WHS.</p>
<p>EQ20. Policies H5 &amp; H6 need to include for restoration of certain historic assets (e.g. the Nevilles' Cross and the Miners' Hall).</p>	<p>PROJc1b Suggest policies H5 and H6 should include restoration of certain historic assets (Neville’s Cross and Miners’ Hall) These suggestions could be addressed in projects under A2.</p>	<p>Review project in A2.</p>
<p></p>	<p></p>	<p></p>
<p><b>Appendices</b></p>	<p></p>	<p></p>
<p>Q62. County Hall, Millburngate House, industrial buildings near bottom of Back Western Hill, Dunelm House, Whinney Hill School should all be removed from Appendix C1 in my opinion.</p>	<p>c5. Suggests deletion of certain buildings from Appendix C1. Some of the buildings have already been demolished. Para. C.1 could explain that the list will be kept under review.</p>	<p>Consider revising Table C1 and text of para C.1.</p>

<p>L12 Appendix Table C1 Area 2, Milburngate House. This is being demolished and this means the target is already not being met.</p>	<p>c5 Suggests the deletion of Milburngate House from Appendix C1, Area 2 as it is already demolished.</p>	<p>Consider change Appendix C1 to delete Milburngate House. Note: In Table C2 and marked as demolished</p>
<p>Q63. Para 4.59 reference to Appendix C: the lists in this Appendix need careful scrutiny, e.g. Table C1 Area 3 Hawthorn Terrace: delete or re-word Neville's Cross Social Club Table C1 Area 4 Church Street: add Charley Cross</p>	<p>c5. Suggest buildings in Appendix C1 need to be scrutinised.</p>	<p>Consider text of Appendix C: para C.1 should be revised.</p>
<p>L9 Context: Para 4.30 it would be useful to provide clarity as to the origins of the list of non-designated heritage assets and where the 'At Risk' buildings set out in appendix C have been derived from.</p> <p>Appendix C contains buildings which have already been demolished including those on Claypath. The criteria used to identify further buildings which were not contained in the CACA is not clear and there is some confusion between notable unlisted buildings and non-designated heritage assets, which clearly have differing tests in the planning process. It must be made clear which terminology is being used and for what purpose.</p>	<p>c5 Suggests change to text of para. 4.30 referring to non-heritage assets.</p> <p>c5 Suggests deletion from Appendix C of buildings that have already been demolished and clarification to terminology used in Appendix C.</p>	<p>Consider change to text of para 4.30. [Also included in General: Other]</p> <p>Consider changes to Appendix C for clarification.</p>
<p>L16 para 4.30 A typo in the first sentence should read "... gives details of designated heritage assets in...". In our last comments, we said you should set out how the lists of non-designated heritage assets have been prepared; if the lists are only those included in the adopted conservation area character appraisals, then a statement to that effect should be added to avoid confusion. As suggested in our last comments (and once discrepancies are resolved), you should add a sentence to these appendices to say that the information is correct at the time of publishing, that designations and register entries can change, and that further heritage at risk and non-designated heritage assets might be identified in the future.</p>	<p>c5 Suggests changes to text of para. 4.30 so as to clarify how non-designated assets have been and will be included in the Plan. And changes to text of appendices</p>	<p>Consider changes to text of para. 4.30 and changes to Text of Appendices [Also included in General: Other]</p>
<p>L10 Appendix A The Durham Miners' Association (DMA) has recently announced an ambitious five-year plan to preserve the Miners' Hall at Redhills and bring it to</p>	<p>c4 Suggests the project to preserve the Miners' Hall is included in Appendix A.</p>	<p>Consider change to projects.</p>

<p>the point where people can celebrate, practice and display the living heritage and culture of the North East.</p> <p>The DMA urges the Forum to support this project in any way possible. Redhills is an essential asset to be retained for the community of Durham city and the county as a whole. It has a vital role to play in creating much-needed performance and practice space for all forms of artists, musicians and actors.</p>		
<p>L8 Policy H6 The inclusion of the 'original cricket pavilion' in Appendix C brings it within the terms of Policy H6. The aspect and setting of the present clubhouse is perhaps more significant than its intrinsic architectural value.</p>	<p>c5 Suggests change to Appendix C to refer to aspect and setting of the present clubhouse.</p>	<p>Consider change to text of Appendix C but check that this is the correct building.</p>
<p><b>Other</b></p>		
<p>EQ15. I wholeheartedly support these policies. Durham has a wonderful legacy acknowledged by the World Heritage status. The enhancement and protection of our City requires the establishment of a "Durham vernacular" in the architectural design of new builds – not the current vandalisation of sites and views of the City and surrounds and disgusting and poor designs for new builds, driven only by maximising profit. If we go on like we are, we'll end up looking like every other city/town in the UK</p>	<p>c3, c5 Suggest establishment of 'Durham vernacular' to avoid looking like every other city.</p>	<p>Consider re-wording of policy or text.</p>
<p>EQ31. Slightly amending of the wording of the vision statements to provide consistency of wording with the overall vision would be helpful. For Theme 2a: Durham City's local heritage will be preserved and enhanced for the cultural benefit and health and wellbeing of present and future generations.</p>	<p>c5. Suggesting change to wording of Theme 2a vision to make it consistent with overall vision.</p>	<p>Consider re-wording of vision for Theme 2a.</p>
<p>EQ49. The city's unique character has already been damaged by the number of inappropriate developments that have been permitted in the last decade. It is essential that stronger controls are applied in the future to meet the heritage objectives of NPPF.</p>	<p>c3 Suggest stronger policies in Theme 2a to protect Durham's unique character and align with heritage objectives of NPPF</p>	<p>Consider changes to policies in Theme 2a</p>
<p>Q59. It is important to pay attention to spaces as to buildings</p>		<p>Consider re-wording of policies H1,</p>

	c3. Suggests changes to policies to refer to the importance of spaces between buildings.	H2 and H3 and text. [Also included under H1, H2, H3, G]
Q63. Para 4.55 line 10: the Nevilles Cross stump needs ongoing maintenance as well as restoration.	c5. Concern over state of Neville's Cross stump.	Consider wording of para 4.55
L8 Map 3 We also expressly support the identification of notable view-points of the WHS as part of its inner setting as shown on Map 3. The map would perhaps benefit from a clearer scale. One of the most notable view-points of the Cathedral is indeed from the Green Lane ground – enjoyed both by spectators and players alike.	c5 Suggests Map 3 (WHS) should be shown at a clearer scale.	Consider changing Map 3 to improve clarity.
<p>L9 Scope of the DCNP.</p> <p>The county council is mindful that it is not the role of a neighbourhood plan to deal with strategic matters or to advocate policy approaches or proposals which conflict with the current local plan (in this case the City of Durham Local Plan CDLP) and policy approaches set out in the more recent NPPF.</p> <p>The current draft DCNP contains a suite of planning policies which fall into one of the following types:</p> <ul style="list-style-type: none"> <li>generic policies which set out specific criteria that a development must accord with (eg Heritage, green belt, design and accessibility).</li> </ul> <p>The Plan strays into a number of strategic planning matters which are already adequately covered by the local plan framework and/or NPPF. ....These strategic aspects centre on inclusion of policies (in the Plan) which</p> <ul style="list-style-type: none"> <li>introduce heritage policies which have differing, often higher test that that required by NPPF and the existing CDLP and in the absence of evidence to justify this.</li> <li>cover control of development which impacts upon the WHS which does not align with existing national policy on this matter.</li> </ul>	c3. DCC considers these policies to be strategic and therefore should not be included in the Plan.	Discuss the issue of strategic policies with DCC.

<p>L9 Implications of DCNP for future decision taking.</p> <p>The council has identified several instances where the DCNP approach deviates from and conflicts with that of the council's existing and evidence relating to emerging plans and strategies, eg</p> <ul style="list-style-type: none"> <li>• approach to heritage matters: in terms of the introduction of tests which exceed the bar set out in NPPF and the current CDLP.</li> </ul> <p>Implications upon the future sustainability of the area. Given the deficiencies in the drafting of policies which include advocating an outdated approach to heritage matters and intent to set a higher bar than existing adopted local and national policy on these important matters, it represents an unjustifiable chilling to and upsetting of the existing balance that has been carefully struck between competing development and conservation requirements through the existing national and local policy context.</p>	<p>c3. DCC considers these (Theme 2a) policies deviate from national planning policy advice.</p>	<p>Consider these policies and text with other expert parties.</p>
<p>L9 Detailed observations and recommended changes by policy.</p> <p>Theme 2. Vision. Given the wealth of heritage assets within the Neighbourhood Area it would be very remiss of the Forum not to cover heritage matters within the Plan. It is nonetheless evident that the terminology adopted does not reflect the most up to date policy approach which seeks to 'conserve' as opposed to 'preserve' such assets. Whilst the Principal Act has not been amended to take this into account it is widely accepted, and circulated within current guidance from Historic England that the thinking has moved on. It is considered essential that this matter is addressed within the vision and throughout the wider plan. The council will remain gravely concerned that the Plan will convey an unfortunate message of stagnation for the city - as a consequence of 'preservation' - rather than promoting a willingness to manage change which positively sustains the unique heritage of the area through conserving and enhancing.</p>	<p>c3 Suggests changes to Theme 2 Vision to reflect up to date national policy approach.</p>	<p>Consider revisions to text of vision in consultation with expert parties.</p>
<p>L9 Objectives:</p> <p>Objective 1: the approach does not reflect current national policy approach to heritage matters as set out above.</p> <p>Objective 2: The approach does not reflect current national policy approach to heritage matters as set out above.</p> <p>Objective 3: The county council wishes to draw attention to a potential con-</p>	<p>c5 Suggests changes to Theme 2 Objectives 1 and 2 in order to reflect current national policy approach to heritage matters.</p> <p>c5 Suggests changes to Theme 2 Ob-</p>	<p>Consider change to text of Theme 2a Objectives 1 and 2 in consultation with expert parties.</p> <p>Consider change to Theme 2a Ob-</p>

<p>conflict between Objective 3 and criterion 1 of Policy S2.</p> <p>Objective 4: Neighbourhood Plans can recommend sites for consideration for designation and formulate a local list, however, the county council does not operate a formal local list.</p>	<p>Objective 3 to remove potential conflict with Policy S2.</p> <p>c5 Suggests changes to Theme 2 Objective 4 to clarify the status of a local list of non-designated heritage assets.</p>	<p>Objective 3.</p> <p>Consider change to Theme 2a Objective 4.</p>
<p>L9 Context: Para 4.27 the last sentence refers to 'theme' as opposed to 'plan'.</p> <p>Para 4.29 the text does not reflect current national policy approach to merit matters.</p> <p>Para 4.30 it would be useful to provide clarity as to the origins of the list of non-designated heritage assets and where the 'At Risk' buildings set out in appendix C have been derived from.</p> <p>(It is unclear whether the associated land owners have been informed of the (Forum's) intentions either prior to or as part of this consultation). (?)</p>	<p>c5 Suggests correction to text of para 4.27. Accept correction.</p> <p>c5 Suggests change to text to reflect national policy.</p> <p>c5 Suggests change to text of para. 4.30 referring to non-heritage assets.</p>	<p>Change para 4.27 as suggested.</p> <p>Consider change to text of para 4.29.</p> <p>Consider change to text of para 4.30. [Also included in General: Appendices]</p>
<p>L9 Justification Theme 2a</p> <p>In general terms the text within this section represents context rather than justification for the policy and should be moved accordingly.</p> <p>Para 4.34 the reference made to design issues and options paper (2009) and forthcoming SPD should be deleted as these references are out of date and superfluous to the justification for this suite of policies.</p>	<p>c5 Suggests moving text from Justification of Theme 2a to Context.</p> <p>c5 Suggests out of date text should be deleted from para. 4.34</p>	<p>Consider change to text of Theme 2a.</p> <p>Consider deletion of text from para. 4.34.</p>
<p>L16 In general, Theme 2a is well conceived and with good introductory narratives and sound objectives. Use of words 'preserve' and 'preservation' is difficult because, although they appear in the legislation, they are generally not in use these days in favour of 'conserve' and 'conservation', which signify a more positive approach to managing change in the historic environment (by balancing significance and harm) rather than signifying prevention of change. 'Protect' can be acceptable in some contexts, but it is a more vague word. As 'conservation' is defined in NPPF it brings certainty</p>	<p>c3 Suggests changes to wording in Theme 2a so as to align with NPPF.</p>	<p>Consider change to Theme 2a.</p>

to the Plan so it is recommended to be used in most instances.		
<p>L16 para 4.29 I am still concerned you only mention some types of heritage asset, for example excluding listed buildings and scheduled monuments. It would be better to use the catch-all term heritage asset than to only name some of them, or you could use a phrase such as “designated heritage assets including...”. It would also be wise to include archaeological in the list of words you use to describe the interest of non-designated heritage assets. I suggest you do not want to inadvertently weaken the protection to some types of asset over another.</p>	c5 Suggests changes to text of para 4.29 so as to refer to all heritage assets.	Consider changes to para. 4.29
<p>L16 para 4.30 A typo in the first sentence should read “... gives details of designated heritage assets in...”. In our last comments, we said you should set out how the lists of non-designated heritage assets have been prepared; if the lists are only those included in the adopted conservation area character appraisals, then a statement to that effect should be added to avoid confusion. As suggested in our last comments (and once discrepancies are resolved), you should add a sentence to these appendices to say that the information is correct at the time of publishing, that designations and register entries can change, and that further heritage at risk and non-designated heritage assets might be identified in the future.</p>	c5 Suggests changes to text of para. 4.30 so as to clarify how non-designated assets have been and will be included in the Plan. Also changes to text of Appendices.	Consider changes to text of para. 4.30. Also changes to text of Appendices. [Also included in general: Appendices]
<p>L16 Paras 4.34 and 4.35 You are aware that the World Heritage Site is not a local designation, so the first sentence could be re-worded to say “As well as national and international designations such as the World Heritage Site, the value of Durham’s heritage is acknowledged by the designation made locally of the Durham City Conservation Area...”.</p>	c5 Suggests re-wording of para. 4.34 ‘As well as national and international designations such as the WHS, the value of Durham’s heritage is acknowledged by the designation made locally ...’.	Consider change to para. 4.34

<p>L23 Theme 2a While we agree with policies H1 - H5 we feel that they do not stress enough to maintain the unique nature of the WHS and the conservation area as the core to the city for tourists and residents. The fact that the medieval marketplace is host to a number of inappropriate retail uses and that student accommodation is being allowed in historic buildings, unsympathetically designed buildings are being erected and that the Bailey is effectively a dead zone during tourist times is testament to the absence of a meta-policy on what type of City Durham should be and for whom.</p>	<p>c3 Concern that policies H1 - H5 do not offer sufficient protection for the unique heritage of the city. Suggests a need for a 'meta-policy' on what type of city Durham should be and for whom. These issues are addressed in the overall vision set out in para.3.1 and the individual visions for each theme.</p>	<p>Consider suggested changes to visions in each theme Consider the suggestion of a 'meta-policy' for the neighbourhood plan.</p>
<p>L23 In relation to Character areas, and neighbourhoods that fall within the Conservation Area, the Nevilles Cross area is a good example of an area that could be described as 'predominantly residential with some green areas of scenic amenity and value'. Within 2 years that predominance will be turned on its head and some 2 - 3000 student bed spaces become available from the Cock of the North to the A167 railway bridge. We believe that this illustrates the need for a review of the policies under this section to state clearly and unequivocally what must be done to mitigate this and what should be done to protect this and other areas as 'predominantly residential'. In other words, and building on earlier reviews of areas/wards, we would welcome an overview of the main features of each character area as the baseline for the overall preservation of each area, or parts of it, so that the main features are not eroded on a piecemeal basis through individual planning and other decisions/agendas.</p>	<p>c3 Suggests that the main features of each character area should be reviewed to provide a baseline for preservation, and consideration of planning applications or other agendas. The monitoring of development proposals in Our Neighbourhood will take place. Targets and indicators need to be developed in Chapter 5. These could include monitoring of Conservation Area character areas as suggested here.</p>	<p>Consider change targets and indicators to monitor the Plan.</p>
<p>L28 The Neighbourhood Plan is particularly welcome in relation to its inclusion of the 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.</p>	<p>c2. WHS Management Plan now a material document</p>	<p>Consider changes to text accordingly</p>

<p>L12 Theme 5.3 Monitoring the Plan.                  Policy H6 Indicator 1 - Demolition of Non-Designated Heritage Assets - Zero. Recommend to: 'Zero unless there are circumstances where the benefit clearly outweighs the scale of loss', so as to take account of NPPF para 135 which states that a balanced judgement will be required having regard to the scale of any loss and the significance of the non-designated heritage asset.</p>	<p>c5 Suggests changes to Policy H6's monitoring indicator to take into account NPPF para. 135.</p>	<p>Consider change to text of Theme 5.3 monitoring the plan.</p>
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>Policy H1: Protection of the World Heritage Site</b>		
Q59. It is important to pay attention to spaces as to buildings	c3. Suggests changes to policies to refer to the importance of spaces between buildings.	Consider re-wording of policies H1, H2 and H3 and text. [Also included under H2, H3, General]
Q68. H1 The height of new builds are obscuring views and are out of character with surrounding buildings & the city. We need to keep the unique character of the city.	c3 Suggests that policy H1 needs to address height of new buildings which are out of character and obscuring views.	Consider re-wording of policy H1 or text.
WC183 Comment on your post "Policy H1" Copied to Other Comments This policy recognises the relevance of the WHS management's plan's Action Plan to the Neighbourhood Plan. In particular, the Action Plan's objective to improve access to and across the WHS for people with disabilities and their carers, is identified as relevant. Yet there is no recognition in the Neighbourhood Plan of the very real difficulties that will be encountered in trying to achieve this objective. Consultation with disabled people, and advice from those with expertise in the needs of people with disabilities appears to be lacking. Without that consultation and advice, the identified objectives will not be achieved.	c5 Concern that the WHS Action Plan's objective to improve access for all is not included in the Plan. Suggests that consultation is required with disabled people's groups and other experts in order to achieve this objective.	Concern noted and further consultation will take place on this issue.

<p>L4 Policy H1 We have been very concerned about the proposals at Maiden Castle and the impact they may have on heritage assets as well as the green belt.</p> <p>We question why there is no reference to the statutory duty protect them under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. There is no reference to case law that has been developed recently to help interpret these provisions in relation to the relevant paragraphs of the NPPF. Our main concern is whether the proposed policies may not wholly conform to the statutory duties under the 1990 Act. However, the policies could be expressed to be ways in which the statutory duty will be followed. We are concerned that many applicants for planning permission make no reference to the statutory duty under Sections 66 and 72 and we believe that this Plan should direct developers' attention to that.</p>	<p>c3 Suggests changes to Policy H1 to refer to statutory duty to protect listed buildings and conservation areas. References to planning case law in policies is not necessary but could be referred to in the supporting text.</p>	<p>Consider changes to supporting text to policy H1.</p>
<p>L8 Policy H1 We consider the Plan would benefit from making explicit that the riverside setting includes adjoining playing fields. A wide interpretation should be given to riverbanks and riverside setting.</p>	<p>c5 Suggests change to text to include playing fields in riverside setting of WHS.</p>	<p>Consider change to text to policy H1.</p>

<p>L9. Policy H1 The county council is concerned that this policy extends beyond the scope of a neighbourhood plan. As an internationally designated asset, it is of a strategic nature which is and will continue to be addressed in the Local Plan for the area. Its inclusion provides unnecessary repetition within the planning framework for the area. The county council strongly opposes the inclusion of this policy. The text would be appropriate to the supporting text.</p> <p>Notwithstanding the above:</p> <p>H1.1 the wording of this part of the policy is an aspirational intent rather than a means by which a development proposal can be assessed.</p> <p>H1.2 reference to 'preferably' is considered to be inappropriate and should be replaced with 'or' as both policy requirements cannot be achieved together.</p> <p>H1.3 a planning application could not be refused on the grounds of criterion (a) was not complied with. This is a procedural matter for the validation of planning applications. The wording could be as follows: 'Demonstrate that they are not harmful to the significance of the WHS in respect of its appearance and setting.'</p>	<p>c3 Considers policy H1 is not consistent with national policy. Policies relating to the WHS are strategic and will be included in the Durham Plan. Policy H1 should instead be in supporting text.</p> <p>c3 Suggests policy H1.1 is an aspirational intent rather than a means of assessing a proposal.</p> <p>c3 Suggests changing policy H1.2 to delete 'preferably' and replace by 'or'.</p> <p>c3 Suggest re-wording policy H1.3 as follows: 'Demonstrate that they are not harmful to the significance of the WHS in respect of its appearance and setting'.</p>	<p>Review policy H1 in consultation with expert parties.</p> <p>Consider change to policy H1.1 in consultation with expert parties.</p> <p>Consider change to policy H1.2 in consultation with expert parties.</p> <p>Consider change to policy H1.3 in consultation with expert parties.</p>
<p>L12 Para. 4.43 Recommends that the phrase 'the largest and most perfect' is changed to 'the largest and best'.</p>	<p>c5 Suggests change to text in para. 4.43 to avoid 'most perfect'.</p>	<p>Consider change to para 4.30.</p>

<p>L15 Policy H1. This policy seeks to protect Durham Cathedral and Castle WHS and its setting. It is considered to be inconsistent with NPPF as it does not allow for the balancing of harm with the benefits of development. NPPF para 1.38 accepts that not all parts of a WHS and their setting necessarily contribute to their significance and that the loss of a building or element should be considered in the context of para. 133 or 134 of NPPF. Whilst this policy does not rule out development, the requirement that development should protect the setting of the WHS is therefore out of kilter with the approach of national policy that accepts that harm can occur but that harm would need to be balanced against the significant public benefits as outlined at para. 133 of NPPF or the public benefits as outlined at para. 134 of the development proposal.</p>	<p>c3 Suggests changes to policy H1 so as to align with NPPF.</p>	<p>Consider changes to policy H1.</p>
<p>L16 Policy H.1 I am pleased you have reflected on our previous comments in this section. However, the criteria given in (b) are insufficient to manage development, excluding, for example, location and height. In H1.3, when discussing views, I recommend including “across” or “through” the World Heritage Site as well as “from and to”.</p>	<p>c3 Concern that policy H1 (b) is insufficient to manage development and suggests changes to policy H1.3 when discussing views.</p>	<p>Consider changes to policy H1.</p>
<p>L16 para 4.38 As the WHS setting is not a designation in itself, the first sentence should be changed to ‘identification of an inner and outer setting’.</p>	<p>c5 Suggests changes to para 4.38: the first sentence should read ‘identification of inner and outer setting’.</p>	<p>Consider changes to text of 4.38.</p>
<p>L28 Policy H1.1(3) 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’.</p> <p>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</p>	<p>c3 Suggests rephrasing of Policy H1.1(3).</p>	<p>Consider rephrasing of Policy H1.1(3).</p>

<p>help protect the setting area without requiring further designation as a buffer zone with attendant and difficult planning policy changes.</p> <p>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 Management Plan could be: 'supporting the proposed inner setting boundary and the outer setting <u>view areas</u> within Our Neighbourhood'.</p>		
<p>L28 Policy H1.3 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.</p> <p>Key areas have been:</p> <ul style="list-style-type: none"> <li>• Panoramic views where the development is not seen directly juxtaposed against the WHS buildings but where they appear together in a sweeping view.</li> <li>• The general townscape and landscape providing the foreground/background 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.</li> <li>• The historic approaches to the WHS - historic bridges and pilgrimage routes.</li> <li>• Smaller but potentially cumulative changes with negative impact.</li> </ul> <p>This is mostly visually based but not solely confined to views of the development from and towards the WHS. An example is visual distraction on the skyline/ridge defining the inner setting resulting from approved prominent white rendering of 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.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• Density and massing</li> </ul>	<p>C3 Suggests changes to Policy H1.3 to take account of issues that have arisen from comments on planning applications:</p> <p>panoramic views; general townscape/landscape providing the backdrop/foreground to the WHS; historic approaches; and smaller, accumulative changes and negative impact, along with many other concerns. These concerns could be addressed by key additions to the policy:</p> <p>Expanding the WHS reference to include attributes, approaches and settings (within the Plan area)</p> <p>Protecting the quality of the setting (within the Plan area)</p> <p>Assessing views that include the development proposals and the WHS</p> <p>Checking for cumulative impact on the WHS and setting</p> <p>Adding external areas and lighting to the 'harmony' list.</p> <p>The suggestions will be considered.</p>	<p>Consider changes to Policy H1.3</p>

<ul style="list-style-type: none"> <li>• Building size/building line</li> <li>• Architectural style</li> <li>• Architectural details/proportions</li> <li>• Building materials</li> <li>• External areas and spaces between buildings</li> <li>• Edge of buildings and the public realm</li> <li>• Lighting</li> <li>• Street furniture</li> <li>•</li> </ul> <p>Other causes of concern have been:</p> <ul style="list-style-type: none"> <li>• Rendering and painting of buildings in the historic core, including inappropriate colour changes</li> <li>• Lit signage and advertising in historic streets</li> <li>• Inappropriate window and door treatments</li> <li>• Infrastructure in the WHS inner setting area - telecommunication mast</li> </ul> <p>Without causing over complication or repeating the cover given by the Neighbourhood Plan Conservation Area/Character Area policies, key additions in the policy could deal with:</p> <ul style="list-style-type: none"> <li>• Expanding the WHS references to include attributes, approaches and setting (within the Plan area)</li> <li>• Protecting the quality of the setting (within the Plan area)</li> <li>• Assessing views that include the development proposals and the WHS</li> <li>• Checking for cumulative impact on the WHS and setting</li> <li>• Adding external areas and lighting to the 'harmony' list.</li> </ul>		
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>Policy H2: The Conservation Areas</b>		
EQ46. Conservation areas should be preserved! Copied from theme 1	c3 Suggest wording of policy H2 and H3 should include 'preservation' of conservation areas.	Consider change to policies H2 and H3 [Also included under Policy H3]
EQ51. There is plenty of brown areas so need to encroach on green belt land. Copied to Theme 2b Preservation and enhancement of conservation areas and heritage assets is particularly important. There should be a presumption for preservation and re-use of buildings. New buildings and alterations to existing ones should be sympathetic and in-keeping with the historic area and buildings should be restored rather than being allowed to become dilapidated so they can be knocked down and replaced with something new. Permission for anything other than restoration should be refused where a heritage asset has been allowed to deteriorate over a period of time. Large student halls of residence and other complexes should be built out of traditional materials rather than cladding and should not be prominent in the skyline. Character and local distinctiveness, tranquillity and contribution to the sense of place are appropriate factors to consider for development. Planning should seek to reverse concrete developments and 60s / 70s for buildings more in keeping with the character of the city. Traditional shop frontings should be encouraged. Copied from theme 1	c3 Suggest changes to policies H2, H3, H5 and H6 to include: A presumption for preservation of heritage assets.  Buildings should be restored before they deteriorate.  Student halls and other large buildings should be built of traditional materials and not intrude on the skyline.  Sense of place should be considered as part of new development.  Return to traditional character, including shop fronts	Consider changes to policies in Theme 2a [Also included under H3,H5,H6]
Q59. It is important to pay attention to spaces as to buildings	c3. Suggests changes to policies to refer to the importance of spaces between buildings.	Consider re-wording of policies H1, H2 and H3 and text. [Also included under H1, H3, General]

<p>Q 76 Policy H2.1 Can the word 'setting' be included?</p>	<p>c3 Suggests the wording is changed: The Durham City Conservation Area and its setting will be protected and enhanced ..... Change to the wording can be considered.</p>	<p>Consider change to policy H2.1</p>
<p>Q76 Policy H2.2 (2) Can the roofscape and floorscape be added as well as appropriate boundary treatments (7) Provide high quality public realm - consider the urban spaces, materials, street lighting, signage and street furniture (10) and influence large developments outside the Plan area that impact on C.A</p>	<p>c3 Suggests changes to Policy H2.2 : adding roofscapes and floorscapes; consider the urban spaces, materials, street lighting, signage and street furniture; and influence large developments outside the plan area. Change to the wording can be considered.</p>	<p>Consider change to Policy H2.2</p>
<p>WC107 Comment on your post "Policy H2" The SRA was fully supportive of this policy but noted that it is the quality of design that is important; this does not mean having to be conservative.</p>	<p>c3 Suggests that quality of design is important, not having to be conservative. This could be addressed in the text supporting policy H2.</p>	<p>Consider review of text supporting policy H2.</p>
<p>WC162 Comment on your post "Policy H2" Copied to Theme 5 The appearance of the Durham City Conservation Area is rather marred by the proliferation of A boards, sometimes obtrusively blocking the pavement. They can also form obstructions and even be hazardous (as with the limited pavement space at the bottom of New Elvet Street, where people will sometimes swerve into the road to get by). This issue relates to the consultation questions about accessibility.</p>	<p>c1b Concern about pavements being blocked by the proliferation of A boards causing hazards to pedestrians and marring the appearance of the Conservation Area. Street furniture is not within the scope of the neighbourhood plan.</p>	<p>There will be further consultation about disabled access</p>
<p>L9 Policy H2 The county council considers that the policy misses the opportunity to articulate the qualities of the area that contribute to its significance.  H2.1 the text does not provide an effective policy criteria for the decision-maker to judge an application against. This statement of intent should be moved into the justification section of the Plan or reword the policy as the impact that a development proposal has on a conservation area is clearly set out in existing and national policy. The wording could be as follows: ‘</p>	<p>c3 Suggests Policy H2.1 should be reworded to provide better criteria for the decision-maker to determine an application.</p>	<p>Consider changes to policy H2.1.</p>

<p>Development proposals within or affecting the setting of the Durham City Conservation Area should seek to respect the distinctive heritage values identified within the associated Conservation Area Appraisal’.</p> <p>H2.2 in the interests of clarity and effective application of the policy, it should be re-worded to include ‘within or affecting the setting of’... Also the policy should be re-worded to reflect the fact that all requirements will not always be applicable to a proposal ‘following requirements where applicable’.</p> <p>Also the following concerns:</p> <p>Criterion 1 This introduces a test which is higher than that required by NPPF and the Local Plan for the area as the exceptions set out in paras. 133 and 134 of NPPF have not been taken into account. This issue is repeated in Policies H5 and H6. Reference is made to ‘any harm’ to take into account para 134 of NPPF.</p> <p>Criteria 5 and 6 This provides unnecessary repetition and the policy would benefit from the merging of these criteria. Also, ‘and’ should be amended to ‘or’ regarding traditional/non-traditional design as it may not be appropriate to require both in one scheme. The reference made to applicants in criteria 6 relates to a validation requirement rather than a policy requirement and as such should be moved into the supporting text.</p> <p>Criterion 8 Considers that ‘presumption in favour’ should be amended to ‘retain’ to ensure greater precision in the application of the policy.</p> <p>Criterion 9 Considers this criterion is not relevant to the scope of this heritage related policy and is more fitting to be included within policy S1 or S2.</p> <p>Criterion 10 Considers this criterion reads as an objective rather than a criterion for judging a planning application. There is scope to link the cumulative impact issue with criterion 2. It is also unclear what is meant by the term ‘uniform use’ which will make practical application of this criterion difficult.</p>	<p>c3 Suggests Policy H2.2 should be re-worded to include ‘within or affecting the setting of .....be permitted if (they fulfil) the following requirements where applicable’.</p> <p>c3 Suggests policy H2.2 criterion 1 sets a higher test than NPPF paras. 133 and 134 and is repeated in policies H5 and H6. Reference to ‘any harm’ should replace ‘substantial harm’.</p> <p>c3 Suggests merging criteria 5 and 6; change ‘and’ to ‘or’ regarding non-traditional design; and remove criterion 6’s reference to applicants and place in supporting text.</p> <p>c3 Suggests re-wording of criterion 8 from ‘presumption in favour’ to ‘retain’.</p> <p>c3 Suggests criterion 9 should be moved to policies S1 or S2.</p> <p>c3 Suggests changes to criterion 10 so that can be used in decision making.</p>	<p>Consider changes to policy H.2.2</p> <p>Consider changes to policy H.2.2 (1)</p> <p>Consider changes to policy H2.2 (5 and 6)</p> <p>Consider changes to policy H2.2 (8)</p> <p>Consider changes to policy H2.2 (9) in relation to Theme 1 policies.</p> <p>Consider changes to policy H2.2 (10).</p>
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<p>L9 Policy H3 If this policy is to be applied in addition to policy H2 the result is some unnecessary duplication of criteria. The policy also misses the opportunity to articulate the qualities of the area that contributes to its significance. care needs to be exercised.</p> <p>Criterion 5 This is not worded as a policy criteria and should be re-worded to overcome this or be moved into the supporting text.</p>	<p>c3 Suggests changes to Policy H3 to avoid duplication with H2; also to include references to the qualities of the area; and re-word or delete criterion 5.</p>	<p>Consider change to policy H3 in relation to policy H2. [Also included under H3]</p>
<p>L16 Policy H2.1. If this is referring to the forthcoming conservation area management plan to be published (alongside the existing character appraisal), then I am concerned the policy is referring to a document that does not yet exist, leaving it largely meaningless. If you are referring to the character appraisal itself, then this would need further clarification to essentially translate some of the content of that document into policy (see below re Policy H3).</p>	<p>c3 Concern over clarity - is Policy H2.1 referring to forthcoming Conservation Area management plan or to character appraisals? If the latter, some of the contents of that document needs to be translated into policy.</p>	<p>Consider change to Policy H2.1</p>
<p>L16 Policy H2.2 In H2.2, you have addressed some of our previous comments though not all, eg. still omitting 'setting' from the first phrase. I see you have acted on my previous comment to address the NPPF's historic environment policies, however inclusion of 'substantial' as the only test here is more onerous than set by the NPPF, which has a lower level test (in para 134) for harm that is deemed less than substantial. Simplifying the clause would help rather than adding another clause to it. This is a detailed point but it's one which is likely to prevent the policy from being in accordance with the NPPF.</p>	<p>c3 Suggests changes to Policy H2.2 so as to align with NPPF by referring to 'setting' and simplifying the clause in relation to 'substantial'.</p>	<p>Consider change to policy H2.2.</p>
<p>L28 Policy H2 This should prove useful support for engaging with new development and change in the areas around the WHS and within its setting.</p> <p>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 advertisements.</p>	<p>c3 Suggests changes to Policy H2.2.2 regarding detailing, lighting, advertising which are all matters that have caused concern for new development.</p>	<p>Consider changes to Policy H2.2.2</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>Policy H3: The Character Areas</b>		
EQ46. Conservation areas should be preserved! Copied from theme 1	H3 c3 Suggest wording of policy H2 and H3 should include 'preservation' of conservation areas.	Consider change to policies H2 and H3 [Also included under Policy H2]
EQ51. There is plenty of brown areas so need to encroach on green belt land. Copied to Theme 2b Preservation and enhancement of conservation areas and heritage assets is particularly important. There should be a presumption for preservation and re-use of buildings. New buildings and alterations to existing ones should be sympathetic and in-keeping with the historic area and buildings should be restored rather than being allowed to become dilapidated so they can be knocked down and replaced with something new. Permission for anything other than restoration should be refused where a heritage asset has been allowed to deteriorate over a period of time. Large student halls of residence and other complexes should be built out of traditional materials rather than cladding and should not be prominent in the skyline. Character and local distinctiveness, tranquillity and contribution to the sense of place are appropriate factors to consider for development. Planning should seek to reverse concrete developments and 60s / 70s for buildings more in keeping with the character of the city. Traditional shop frontings should be encouraged. Copied from theme 1	H3 c3 Suggest changes to policies H2, H3, H5 and H6 to include: A presumption for preservation of heritage assets.  Buildings should be restored before they deteriorate.  Student halls and other large buildings should be built of traditional materials and not intrude on the skyline.  Sense of place should be considered as part of new development.  Return to traditional character, including shop fronts	Consider changes to policies in Theme 2a [Also included under H2,H5,H6]
Q59. It is important to pay attention to spaces as to buildings	H3 c3. Suggests changes to policies to refer to the importance of spaces between buildings.	Consider re-wording of policies H1, H2 and H3 and text. [Also included under H1, H2, General]
L9 Policy H3 If this policy is to be applied in addition to policy H2 the result is some unnecessary duplication of criteria. The policy also misses the opportunity to	c3 Suggests changes to Policy H3 to avoid duplication with H2; also to in-	Consider change to policy H3 in relation to policy H2.

<p>articulate the qualities of the area that contributes to its significance. care needs to be exercised.</p> <p>Criterion 5 This is not worded as a policy criteria and should be re-worded to overcome this or be moved into the supporting text.</p>	<p>clude references to the qualities of the area; and re-word or delete criterion 5.</p>	<p>[Also included under H3]</p>
<p>Q76 Settings etc need to be reconsidered_</p>	<p>c3 Suggests that policy H3 needs to reconsider settings etc. Consider reviewing policy H3 to refer to development proposals that affect the setting of Conservation Areas</p>	<p>Review policy H3</p>
<p>Q76 Policy H3. Need to include if possible extensions, alterations or replacements need to be appropriate .....</p> <p>Appropriate fenestration patterns and details .....</p> <p>Setting of buildings ....</p> <p>Views of the conservation (area) within and .....</p>	<p>c3 Suggests changes to Policy H3 to include the following requirements: (i) extensions, alterations or replacements need to be appropriate in scale, massing, height and have sympathetic roofscapes (ii) appropriate fenestration patterns and details (iii) setting of buildings; spaces, surfacing, boundary treatment, trees and landscape (iv) views of the conservation (area) within and outside Changes to the wording of the policy can be considered.</p>	<p>Consider change to Policy H3</p>
<p>WC221 Comment on your post "Policy H3" Policy H1 protects views to and from the World Heritage Site but there is no explicit mention of longer distance views in other parts of the city, but in a hilly city these are part of the pleasure of walking around the area. A comprehensive policy would be hard to achieve, but I think that the recent conservation area character assessments include some mentions of valuable views. If they do, then perhaps a reference to "protecting views mentioned in the assessments" as part of the policy would be sufficient?</p>	<p>c3 Suggest policy H3 should add a reference to 'protecting views mentioned in conservation area character assessments'. Policy H3 can be reviewed.</p>	<p>Review policy H3.</p>
<p>L9 Policy H3 If this policy is to be applied in addition to policy H2 the result is some un-</p>	<p>c3 Suggests changes to Policy H3 to</p>	<p>Consider change to policy H3 in re-</p>

<p>necessary duplication of criteria. The policy also misses the opportunity to articulate the qualities of the area that contributes to its significance. care needs to be exercised.</p> <p>Criterion 5 This is not worded as a policy criteria and should be re-worded to overcome this or be moved into the supporting text.</p>	<p>avoid duplication with H2; also to include references to the qualities of the area; and re-word or delete criterion 5.</p>	<p>lation to policy H2. [Also included under H2]</p>
<p>L16 Policy H3 The conservation area character appraisals are good evidence to add value to existing policy, which is why I am puzzled by removal of the individual character area policies and a reduction in the scope and content of the replacement policy (Policy H3). Although I did not comment on these policies last time, you could use them to add depth to what development should achieve to be acceptable in particular locations, such as the individual character areas. A comparator neighbourhood plan for this is that for Odiham &amp; North Warnborough, which rephrases conservation area analysis into policies to guide developers and decision-makers on how to apply higher level policy area by area. I welcome inclusion of a need to demonstrate how development will respond to local character, but you could add area-specific depth to this using the evidence you have gathered. I welcome the addition of H3.5 as a way of encouraging strong supporting information to justify development.</p>	<p>c3 Suggests the reinstatement in policy H3 of the individual character area policies which add depth to what development should achieve to be acceptable. Also guides developers and decision makers on how to apply higher level policy area by area.</p> <p>c3 Suggests adding area-specific depth to policy H3.</p>	<p>Consider change to policy H3.</p> <p>Consider change to policy H3.</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>Policy H4: Our Neighbourhood Outside the Conservation Areas</b>		
<p>Q76 Policy H4</p> <p>1. Need to also consider the impact of these developments on the setting .....</p> <p>2. May need to elaborate here. Mention sense of space and points such as .....</p> <p>3. Need to mention landscape, trees etc</p>	<p>c3 Suggests changes to Policy H4 to include the following requirements:</p> <ul style="list-style-type: none"> <li>• the impact of developments on the setting of the Conservation Area and WHS</li> <li>• sense of place and points such as scale, height, massing, materials, roofscape, townscape form</li> <li>• landscape, trees etc.</li> </ul> <p>Changes to the wording of Policy H4 can be considered.</p>	<p>Consider change to Policy H4</p>
<p>WC19 Comment on your post "Policy H4"</p> <p>POLICY H 4. I fully support this Policy, and suggest that it could be improved by the insertion in2 of the following additional words after "...high quality design" AND BE ON A SCALE...that is sympathetic.</p>	<p>c3 Suggests adding to H4 (2) after 'high quality design' 'and be on a scale' that is sympathetic'.... Policy H4 (2) can be reviewed.</p>	<p>Review policy H4 (2)</p>
<p>WC215 Comment on your post "Policy H4" Endorse the themes and also support WC19 proposed addition</p>	<p>c3 Support proposed addition suggested by WC19. (see comment)</p>	<p>Review policy H4 (2).</p>
<p>L9 Policy H4</p> <p>Concern that the scope of this policy is already covered in Policy S1 and it is unclear what added benefits Policy H4 will bring over and above Policy S1. Copied to Theme 1 (S1)</p>	<p>c3 Concern policy H4 duplicates policy S1</p>	<p>Consider need for policy H4.</p>
<p>L12 Paras 4.54 and 55</p> <p>Recommend that the references to university property are changes to read: 'are Durham University's Hill Colleges, Upper and Lower Mountjoy, the Botanic gardens'. Also change Tollhouse Road to Toll House Road.</p>	<p>c5 Suggests corrections to text's reference to university properties in paras. 4.54 and 4.55.</p>	<p>Agree changes to text of paras. 4.54 and 4.55.</p>

<p>L16 Policy H4 I have a similar concern [to that expressed for H3] about the limited scope and purpose of Policy H4 [in not adding value to existing policy].</p>	<p>c3 Concern over limited scope and purpose of Policy H4.</p>	<p>Consider change to policy H4 to add further detail.</p>
<p>L16 Policy H4.1 In addition, in H4.1, I think “setting” is the wrong choice of word as this implies the policy would only control what is outside the ‘neighbourhoods outside the conservation areas’ rather than the content of these neighbourhoods.</p>	<p>c3 Concern over wording of Policy H4.1 as ‘setting’ implies the surroundings of the neighbourhoods outside the conservation areas rather than the content of these neighbourhoods.</p>	<p>Agree change to policy H4.1</p>

COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>Policy H5: Listed buildings, Scheduled Ancient Monuments, Registered Parks and Gardens and Registered Battlefields</b>		
<p>EQ51. There is plenty of brown areas so need to encroach on green belt land. Copied to Theme 2b</p> <p>Preservation and enhancement of conservation areas and heritage assets is particularly important. There should be a presumption for preservation and re-use of buildings. New buildings and alterations to existing ones should be sympathetic and in-keeping with the historic area and buildings should be restored rather than being allowed to become dilapidated so they can be knocked down and replaced with something new. Permission for anything other than restoration should be refused where a heritage asset has been allowed to deteriorate over a period of time. Large student halls of residence and other complexes should be built out of traditional materials rather than cladding and should not be prominent in the skyline. Character and local distinctiveness, tranquillity and contribution to the sense of place are appropriate factors to consider for development. Planning should seek to reverse concrete developments and 60s / 70s for buildings more in keeping with the character of the city. Traditional shop frontings should be encouraged. Copied from theme 1</p>	<p>c3 Suggest changes to policies H2, H3, H5 and H6 to include: A presumption for preservation of heritage assets.</p> <p>Buildings should be restored before they deteriorate.</p> <p>Student halls and other large buildings should be built of traditional materials and not intrude on the skyline.</p> <p>Sense of place should be considered as part of new development.</p> <p>Return to traditional character, including shop fronts</p>	<p>Consider changes to policies in Theme 2a [Also included under H2,H3,H6]</p>
<p>Q45. H5: Enhancing historic value is preferable over just preserving it.</p>	<p>c3. Suggest that policy H5.3 (2) is amended to state enhancing is preferable to just preservation of history value Consider review of policy H5.3 (2)</p>	<p>Review policy H5.3 (2)</p>
<p>Q76 Policy H5 H5.2 Can setting be included at some point within this policy? It is not just about the site but the area beyond development here can have a profound impact on the assets if not considered. H5.3(2) Please also mention development should also add the site and setting possibly.</p>	<p>c3 Suggests changes to Policy H5.2 to include 'setting' and H5.3(2) to add development should add (to) the site and setting Changes to the wording of Policy H5 can be considered.</p>	<p>Consider changes to Policy H5</p>

<p>L9 Policy H5 Concern that this policy seeks to set a higher test than that of established national and local policy and without adequate justification for doing so.</p> <p>The policy refers to ‘all designated heritage assets’ however the title does not include an exhaustive list of these. This presents ambiguity in the practical application of the policy. This could be addressed by the insertion of a footnote.</p> <p>However, the council considers this to be a strategic matter which is adequately covered by existing national and local policy and therefore considers it would be unnecessary repetition as it does not provide a locally distinctive dimension to the Plan.</p> <p>Para 4.58/9 Instead of ‘Keys to the Past’ the Plan should refer to DCC’s Historic Environment Record. It is also advised that the word ‘archaeological’ is inserted before ‘sites’ for clarification. ‘Scheduled Ancient Monuments’ should be referred to as ‘Scheduled Monuments’.</p>	<p>c3 Concerns regarding policy H5:</p> <ul style="list-style-type: none"> <li>• lack of justification to require higher test than national policy;</li> <li>• ambiguity due to missing some heritage assets;</li> <li>• this is a strategic matter;</li> <li>• corrections to text.</li> </ul>	<p>Consider changes to policy H5 and text in consultation with expert parties.</p>
<p>L15 Policy H5 The second limb of this policy at H5.2 is considered inconsistent with the approach taken by national planning policy and the recognition contained at H5.1 that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal.</p>	<p>c3 Suggests change to policy H5 so as to align with NPPF.</p>	<p>Consider changes to policy H5.</p>
<p>L16 Policy H5 has not moved forward sufficiently since our last comments; it still essentially re-writes higher level policy rather than adding local value to it. It has become less clear; the whole policy no longer applies to all designated heritage assets, which at least the main thrust of the policy should do even if some later clauses in it apply only to specific types of designated heritage asset (eg. parks and gardens).</p> <p>Some of the policy’s wording would not comply with the NPPF, so whilst the spirit of what you want to achieve is good, it does need to be re-worded to be sound, for example by making it clear that development would be supported provided it was in accordance with other statutory, local and neighbourhood plan policies as well as the requirements set out in the</p>	<p>c3 Concern that policy H5 does not add local value; and that the policy does not apply to all designated heritage assets, which it should do, even if some clauses apply to only specific types.</p> <p>c3 Concern that some wording would not comply with NPPF. Suggests policy H5 needs to add more to what is said in NPPF paras. 132-134 rather than rewriting them.</p>	<p>Consider changes to policy H5.</p> <p>Consider changes to policy H5.</p>

<p>policy. To do this, it should add something more than what the NPPF says - currently H5.1 and 5.2 are essentially re-writing paragraphs 132-134 of the NPPF in a more strict way; I was concerned about this last time I commented (then Policy H8).</p> <p>Instead of re-interpreting higher level policies, you should aim to add detail to it that is relevant to your plan's objectives for the historic environment and other topics. You have started to tackle this with the topic of heritage at risk, which is welcome, but I would suggest other issues for this type of policy in your plan will be protection of fabric and setting. Your evidence gathering has shown a great time-depth and intactness to the designated assets in the plan area, so this policy could set out how you would like to protect that. As it stands, Policy H5 remains very weak.</p>	<p>c3 Suggests policy should and add more detail that is relevant to the Plan's objectives for the historic environment and other topic, such as the protection of fabric and setting.</p>	<p>Consider changes to policy H5.</p>
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COMMENTS TO PRE-SUBMISSION CONSULTATION DRAFT	COMMENT CATEGORISATION	PLANNING ISSUE OR ACTION TO BE CONSIDERED
<b>Policy H6: Non-designated Heritage Assets</b>		
<p>EQ51. There is plenty of brown areas so need to encroach on green belt land. Copied to Theme 2b</p> <p>Preservation and enhancement of conservation areas and heritage assets is particularly important. There should be a presumption for preservation and re-use of buildings. New buildings and alterations to existing ones should be sympathetic and in-keeping with the historic area and buildings should be restored rather than being allowed to become dilapidated so they can be knocked down and replaced with something new. Permission for anything other than restoration should be refused where a heritage asset has been allowed to deteriorate over a period of time. Large student halls of residence and other complexes should be built out of traditional materials rather than cladding and should not be prominent in the skyline. Character and local distinctiveness, tranquillity and contribution to the sense of place are appropriate factors to consider for development. Planning should seek to reverse concrete developments and 60s / 70s for buildings more in keeping with the character of the city. Traditional shop frontings should be encouraged. Copied from theme 1</p>	<p>H6 c3 Suggest changes to policies H2, H3, H5 and H6 to include: A presumption for preservation of heritage assets.</p> <p>Buildings should be restored before they deteriorate.</p> <p>Student halls and other large buildings should be built of traditional materials and not intrude on the skyline.</p> <p>Sense of place should be considered as part of new development.</p> <p>Return to traditional character, including shop fronts</p>	<p>Consider changes to policies in Theme 2a [Also included under H2,H3,H5]</p>

<p>WC118</p> <p>Durham's historic heritage is twofold, and while the importance of the medieval centre is immense, it would be a pity to be dazzled by it to the point of overlooking the counterbalancing theme of Durham's industrial heritage.</p> <p>I agree with the Plan's emphasis on protecting the areas identified, and the individual assets, listed and otherwise, but regret that consideration of the North Road seems to have been exclusively with respect to its retail offering.</p> <p>The North Road is for many visitors, particularly those using public transport the point of entry to the city. It contains many interesting and historic buildings: most obvious is the visual sequence running from the former cinema and adjacent Miners' Hall, past the Bethel chapel to the backdrop of the viaduct. Others are less prominent, but the Wetherspoons restoration of the former Water Board offices is attractive, and Reform Place, almost concealed, adds interest. Nothing here is incompatible with sympathetic, small scale retail, but development of the Miners' Hall as some form of visitor reception or other service point would make good use of its position.</p> <p>It goes without saying that proposals to move the bus station and destroy the North Road in pursuit of some phantom benefit are without merit.</p>	<p>H6</p> <p>c3. c5. Concern that industrial heritage is not given enough emphasis in policy H6 and in particular the historic buildings on North Road: former cinema, Miners' hall, Bethel chapel, former Water Board offices. North Road falls within the Framwellgate character area (Appendix B.2) and the non-designated heritage assets of concern are listed in Appendix C.</p>	<p>Consider reviewing justification to policy H6</p>
<p>Q76 Policy H6</p> <p>Need to consider the setting of the non designate heritage asset as well as the site</p> <p>H6.2 May need to elaborate - using appropriate materials, details where possible. Extensions, alterations etc. need to consider the scale, massing, roof form, spaces around the asset, boundary treatment, landscape / trees i.e. to avoid problems like the County Hospital site development.</p>	<p>c3 Suggest changes to policy H6</p> <p>H6.1 "Non-designated heritage assets and their setting will be safeguarded"</p> <p>....</p> <p>H6.2 add "using appropriate materials, details etc.</p> <p>Changes to the wording of Policy H6 can be considered.</p>	<p>Consider changes to Policy H6</p>
<p>L8 Policy H6 The inclusion of the 'original cricket pavilion' in Appendix C brings it within the terms of Policy H6. The aspect and setting of the present clubhouse is perhaps more significant than its intrinsic architectural value.</p> <p>Policy H6 should therefore be amended. The test of achieving 'substantial public benefit' is high. For the avoidance of doubt we ask that additional</p>	<p>c3 Suggests changes to Policy H6.1 to align with NPPF guidance paragraph 89.</p>	<p>Consider change to policy H6.1</p>

<p>wording be considered importing reference in NPPF paragraph 89 to 'provision of appropriate facilities for outside sport' as being appropriate development in this context. Policy H6.1 should be amended to read: '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 harm or loss <i>or that appropriate replacement, extends or enhancement of existing facilities for community outdoor sport is necessary</i>'.</p>		
<p>L9 Policy H6 Criterion H6.1 This is not consistent with NPPF guidance and sets a higher bar than national guidance, given that the exceptions set out in para 133 of NPPF are not referred to.</p> <p>The council does not have a local list but the Plan can identify 'heritage assets of local interest'</p>	<p>c3 Considers the policy H6.1 is not consistent with national policy. Also correction to text.</p>	<p>Consider change to policy H6.1 and text.</p>
<p>L9 Policy H6 Criterion H6.2 Considered the scope of this criterion is already covered in Policy S2. Also concerned that the manner in which this is worded will result in unintended consequences. The policy should be re-worded to reflect the fact that proposals will still need to accord with other policies if it is to be retained. Copied to Theme 1 (S2)</p>	<p>C3 Concern that criterion H6.2 duplicates policy S2.</p>	<p>Consider change to policy H6.2 in relation to policy S2.</p>
<p>L15 Policy H6 Gladman is concerned that the approach taken by this policy fails to recognise the separate balancing exercise contained in NPPF. The NPPF is clear that a balanced judgement will be required having regard to the scale of harm or loss and the significance of the heritage asset. The policy as written appears to be more consistent with the approach taken to designated heritage assets as opposed to non-designated assets.</p>	<p>c3 Suggests changes to policy H6 so as to align with NPPF.</p>	<p>Consider change to policy H6.</p>
<p>L16 Policy H6. I am pleased some of the ambiguous terms have been removed from this policy, but as I commented last time (then Policy H9), I am concerned that it re-writes rather than adds local clarity to the NPPF's paragraph on non-designated heritage assets.</p>	<p>c3 Concern that policy H6 does not add local clarity to NPPF's paragraphs on non-designated heritage assets.</p>	<p>Consider change to policy H6.</p>