

THEME 2a: A BEAUTIFUL AND HISTORIC CITY – HERITAGE

TRACK CHANGES FROM 2019 CONSULTATION

Vision

4.24 Durham City's local heritage will be conserved and enhanced for the cultural benefit and health and well-being of present and future generations.

Objectives

4.25 The objectives of this theme are:

1. To **sustain**, conserve, and **wherever possible** [L5b] enhance, the site and setting of the Durham Cathedral and Castle World Heritage Site;
2. To conserve and enhance the Conservation Areas and their setting by sensitive and well-designed development that:
 - (a) balances conflicting needs with emphasis on avoiding diluting the distinctive character of the locality;
 - (b) sustains and increases their social, economic and environmental vitality;
 - (c) avoids the cumulative impact of schemes which dominate either by their size, massing or uniformity;
3. To uphold high standards of sympathetic, distinctive, and innovative design;
4. To conserve heritage assets.
5. **To protect and enhance public spaces within the City as settings for Heritage assets.** [SEM3]

Context

4.26 The historic City and its setting is the quality for which Durham is universally known and loved and is the key stewardship issue for its local authorities and its residents. The importance of the heritage aspect has been recognised by the designation of the Cathedral and Castle as a World Heritage site and the designation of the Durham City Conservation Area and the Burn Hall Conservation Area. They form the focus of the heritage aspect of this theme. The green setting of the World Heritage Site and the conservation areas are part of their charm and this is covered in the Green Infrastructure Theme 2b.

4.27 The significance of the historic environment of Durham City is an incomparable shared resource that gives distinctiveness and meaning to a specific place. Appreciation and understanding of the history and heritage of the City and the World Heritage Site of Norman Cathedral and Castle encourage informed participation in caring for this heritage for the cultural benefit and well-being of present and future generations. [L5b]

4.28 The City's special historic and architectural interest must be protected against unsympathetic developments that would have a damaging impact on the character of the

historic centre and its setting, whilst development which would add distinction and quality to its urban form should be encouraged and promoted. Protection is also afforded by the designation of World Heritage Site, the Green Belt, the conservation areas and designated **edion** of heritage assets including listed buildings and scheduled monuments. There are also non-designated sites of historic, architectural, aesthetic and social interests in which the City is hugely endowed, and which are identified in Durham County Council's character appraisal of the City (Durham County Council, 2016b). **This protection needs to be supported by strong and positive decisions in implementing change.** [L5b]

4.29 Historic England's National Heritage List for England gives details of the designated heritage assets in Our Neighbourhood and a summary is available in Table D2 in Appendix D. Appendix B gives a list of non-designated heritage assets in Our Neighbourhood which is derived from Durham City Conservation Area Character Area documents (Durham County Council, 2016b), and the monitoring and updating of this list is included as an initiative in the companion document 'Looking Forwards: Durham as a Creative and Sustainable City'.

Justification

4.30 This justification refers to the Heritage theme as a whole. Additional, specific justification for each heritage policy is given with the policy itself.

4.31 The remarkable heritage values of Durham City belong to everyone and justify conservation now and in the future. To conserve the City's outstanding heritage and to promote good design of new development is strongly supported by local people in response to the Forum's public consultation and the study of young people's views (Durham City Neighbourhood Planning Forum, 2015, 2016a).

4.32 The Government promotes the conservation of the historic environment and heritage in the NPPF (para. 8, 20(d), and Chapter 16, and associated PPG '**Conserving and enhancing the h**Historic environment') and in the white papers 'Heritage Protection for the 21st Century' (Department for Culture, Media and Sport, 2007) and 'The Culture White Paper (Department for Culture, Media and Sport, 2016). The NPPF (para. 184) recognises that heritage assets are an irreplaceable resource that should be conserved "in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations". The Culture White Paper states that "Our historic built environment is a unique asset and local communities will be supported to make the most of the buildings they cherish." (p.36). Historic England, the public body looking after England's historic environment provides much guidance with the aim of championing and protecting historic places. It notes in its planning guidance that "Heritage can play a part in delivering all three elements of sustainable development." (Historic England, Conservation principles, policies and guidance).

4.33 As well as the national and international designation of the Cathedral and Castle as a World Heritage Site (Durham World Heritage Site, 2017), the value of Durham's heritage is acknowledged by the designation of the Durham City Conservation Area (Durham

County Council, 2016b) and the Burn Hall Conservation Area within Our Neighbourhood, and the adjacent Shincliffe and Sunderland Bridge conservations areas. The Sustainable Communities Strategy for County Durham 2014-2030 (County Durham Partnership, 2014) includes the objectives to promote sustainable design and protect Durham's heritage. Numerous saved policies from the City of Durham Local Plan are relevant, designating assets, determining what type of development is permissible and promoting good design (E3,4,5,5A,6,21,22,23,24,25; H13; Q4,8,9,10,11,12; U2). The Durham City Regeneration Masterplan (Durham County Council, 2014) and its update (Durham County Council, 2016c) have a number of implementation projects and actions relevant to the heritage of Our Neighbourhood (a subset of the Durham City area covered by the Masterplan), i.e. making the most of the historic core - in partnership with Durham University, the Durham Business Improvement District, event planners, hotels, to increase visitor numbers and ensure care of historic buildings. Completed projects include the renovation of Wharton Park.

4.34 Historic England's high level principles emphasise the importance of place: "Understanding the significance of places is vital. Significant places should be managed to sustain their values." (Historic England, Conservation principles, policies and guidance). The Culture White Paper (Department for Culture, Media and Sport, 2016) calls for partnerships "to develop the role of culture in place-making." (p.34) Locally, the North East Culture Partnership has set up the 'Case for Culture' Project for cultural development focusing on the arts and heritage. The requirement to seek a balance between innovative new development which enhances the historic environment and the conservation of medieval routes and landmarks is of great importance for ensuring that Durham City retains its sense of place and authenticity.

Access for everyone to England's rich heritage has never been more important. The links between taking part in cultural life and life chances are increasingly well understood and evidenced. Taking part has a positive effect on the health, wealth and happiness of individuals and communities. As a nation, we need to include and involve more people than ever before. Duncan Wilson, 2016 [L5b]

Planning Policies and Proposals for Land Use

4.35 The policies related to this theme are:

- Policy H1: Protection of the World Heritage Site
- Policy H2: The Conservation Areas
- Policy H3: Our Neighbourhood Outside the Conservation Areas
- Policy H4: Heritage Assets

These policies relate to the heritage assets in Our Neighbourhood, covering the World Heritage Site, the Conservation Areas and designated and non-designated assets. The NPPF (currently the February 2019 version) details how to determine development proposals that affect heritage assets, e.g. in para 193 to 197:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Policy H1: Protection and Enhancement of the World Heritage Site

[L8a,L9,L17,L5b,L6a]

Proposals for development proposals within the Durham Cathedral and Castle World

Heritage Site are required to **sustain**, conserve, **support** and enhance its Outstanding Universal Value and to support the current **adopted** management plan **approved by UNESCO**.

Proposals for dDevelopment proposals within the World Heritage Site must **be shown to** sustain, conserve and enhance the World Heritage Site by:

- a) taking **full** account of both the historical and present uses of the World Heritage Site; and
- b) proposing high quality design which **harmonises contributes to the quality and significance of with** the World Heritage Site; and
- c) using **traditional** materials **and finishes appropriate to the vernacular, context and setting**; and
- d) **proposing decorative schemes which are appropriate to the setting of the World Heritage Site; and**
- e) seeking balance **in terms of scale, density, massing, form, layout, landscaping and open spaces**.**and avoiding overbearing massing which conflicts with the World Heritage Site; and**
- f) **avoiding the cumulative impact of developments within the World Heritage Site in terms of their height, massing and the spaces between the buildings.**

Proposals for dDevelopment proposals throughout Our Neighbourhood must be shown to sustain, conserve and enhance the setting of the World Heritage Site by:

carrying out an assessment of how the **finished** development will affect **be viewed in, from, towards and within the setting of the** World Heritage Site, **including views to and from the World Heritage Site**; and

- g) protecting **important** views **of the World Heritage Site from viewpoints outside the World Heritage Site** .(such as the world-famous view from trains crossing the viaduct; and
- h) **where practicable, by opening up views of the World Heritage Site from within and from outside the World Heritage Site. taking opportunities to open up lost views and create new views and vistas.**

Renumber criteria

4.38 The **new** management plan of the (Durham World Heritage Site, (2017) is now operational **and runs from 2017 to 2023**. It can be treated as a material document **for planning purposes (particularly the Action Plan p.36 to 46)**. **the purposes of identifying sources and support for the Neighbourhood Plan**. [L5b]

4.36 **The Durham World Heritage Site has published its first review of its management plan which will run from 2017 to 2023 (Durham World Heritage Site, 2017)**. This has been **approved by UNESCO and its aims (p.4) are to:**

- *Protect the Site's Outstanding Universal Value and setting;*
- *Conserve and enhance the Site and its setting;*

- *Support understanding and awareness of the Site and its Outstanding Universal Value and of World Heritage;*
- *Support communities in realising the economic, social and cultural opportunities and benefits World Heritage status can bring;*
- *Support visitor and communities' access, their enjoyment of the Site and its benefits;*
- *Provide WHS management to deliver all aims.*

4.37 The identification of an inner and outer setting of the World Heritage Site is to protect the site and sustain the Outstanding Universal Value. Outstanding Universal Value is "cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity" (UNESCO, 2008, para.49). Durham's World Heritage Site's Outstanding Universal Value includes the Cathedral and Castle and associated historic buildings, their landscape setting (comprising the historic City, its buildings and streets, the river and the riverbank, the green assets, and local and long distance views to and from the site), its cultural and religious traditions (historically and currently) and its meaning for people.

The management plan It has a number of issues in its Action Plan (p.36-45) that are have been relevant to the development of policies in the our Neighbourhood Plan, as listed below:

- 1 Objective 1.1 Ensure the protection of the OUV through planning policy and processes (Action 1.1.1 Liaise with County Durham/ Neighbourhood Plan teams to ensure they accurately reflect the OUV and attributes of the Site in Local Plans)
- 2 Objective 2.2 Conserve the setting of the WHS and encourage appropriate and sensitive development and support the ongoing regeneration of Durham and its environs. (Action 2.2.1 Build and confirm support for an inner setting area around an expanded WHS core area in lieu of a Buffer Zone; Action 2.2.2 Increase understanding of the inner setting through views and general analysis; Action 2.2.3 Promote the use of ICOMOS Heritage Impact Assessments for new developments in and around the WHS; Action 2.2.4 Make available to prospective developers, descriptions of significance and key factors forming the character of the townscape that support the OUV of the Site; Action 2.2.6 Develop and deliver a programme of more proactive tree management along the riverbanks and upon the Peninsula and continue the conservation of the WHS riverbanks, woodlands and associated structures; Action 2.2.7 Ensure that all maintenance and development plans on the WHS pay due attention to the preservation and support of fauna and flora.
- 3 Objective 2.3 Pursue expansion of the WHS boundary (Action 2.3.1 Review inner and outer riverbanks for potential to become new boundary of the WHS2; Action 2.3.2 Build documentary evidence in support of the conservation and restoration of these historic Green Landscapes)
- 4 Objective 4.1 Maximise the benefits brought to the region by sustainable and appropriate use of the WHS as a visitor attraction and maximise the benefit to

the WHS of the local and regional development of Durham's tourist offer (Action 4.1.2 Integrate the WHS within local and regional tourism strategies)

- 5 Objective 5.3 Increase visitor/user engagement with the WHS (Action 5.3.4 Develop guided walks, controlled public access and new signage and interpretation boards along the riverbanks)
- 6 Objective 5.4 Improve physical access to and across the WHS (Action 5.4.1 Improve physical access to and around the WHS for users with disabilities and their carers. Ensure all development projects include consideration of improvements to access; Action 5.4.2 Work in partnership to support the continuation/expansion of the Cathedral Bus service; Action 5.4.3 Work in partnership to address traffic congestion on the peninsula)

4.39 The implementation plan will be undertaken by the World Heritage Site Coordinating Committee whose local representatives include Durham Cathedral, Durham University, St John's College and University College (as landowners), Durham County Council (as a statutory consultee) and the City of Durham Trust. It is essential that the needs of all people including those with disabilities, the very old and young, are addressed when considering every aspect of the implementation plan.

Map 1: World Heritage Site Boundaries [add new map](#) [L18]

Map 2: World Heritage Site Inner Setting

Justification

4.40 The Forum's priority survey (Durham City Neighbourhood Planning Forum, 2015) identified that local people valued highly the World Heritage Site, the Cathedral, the Castle and Palace Green. For them a high priority is to conserve the City's heritage. In the Forum's study of the views of young people (Durham City Neighbourhood Planning Forum, 2016a), their priorities included heritage. The young people all had a strong appreciation of the heritage and architecture of the City and a discernible pride in the historic centre, particularly the Cathedral and Castle.

4.41 Durham Cathedral and Castle were inscribed by UNESCO as a World Heritage Site in 1986 in recognition of its outstanding universal values. The Government is a signatory to the UNESCO (1972) World Heritage Convention and has a statutory duty to conserve World Heritage Sites so that they can be enjoyed by present and future generations (PPG 'Conserving and enhancing the historic environment' para. 026 to 038). Durham County Council is a member of the World Heritage Site Coordinating Committee which manages the site. Saved policies of the City of Durham Local Plan cover protection of the World Heritage Site (E3) and extension of its area (E4).

4.42 The exceptional significance of the Norman Cathedral and Castle is manifested by the dramatic group of buildings, situated on the rocky outcrop above the loop in the River Wear. The Cathedral, the largest and best monument of Norman architecture in England,

lies within the precincts of Durham Castle, which was first built under the orders of William the Conqueror. The innovative vaulting of the Cathedral constitutes an experiment ahead of its time. The relics of St. Cuthbert (634-687 AD) and the Venerable Bede (672-735 AD) in Durham Cathedral, the Lindisfarne Gospels and Bede's 'History of the English Church and People' crystallise the memory of the evangelisation of Northumbria. The buildings physically express the spiritual and secular powers of the medieval Bishops Palatinate and they remain a political statement of Norman power. Further significance is drawn from the importance of the archaeological remains directly related to the site's continuity of use and ownership over the past 1000 years as a place of religious worship, learning and residence. These remarkable buildings meet UNESCO's criteria of Outstanding Universal Value which were updated and ratified by UNESCO in June 2013. The aim of the new management plan's proposal to extend the coverage of the World Heritage Site is to include all of the Peninsula and its defensive structures and functions. (See Map 1, the boundaries). [L5b]

4.43 The Site is set in an intimate landscape bowl forming the inner setting with the higher land forming the backdrop to the World Heritage Site. (See Map 2, the inner settings). The surrounding green wooded hills, ridge lines and green fingers of land which penetrate into the City, create a magnificent setting for the Cathedral and Castle and include Flass Vale, Whinney Hill, Observatory Hill, Maiden Castle and Mountjoy, together with the River Wear that meanders through the City. Most of Our Neighbourhood is contained within the inner setting of the World Heritage Site. These important viewpoints contributing to the setting, are identified within the County Council's Conservation Area Character Appraisal (Durham County Council, 2016b), and must therefore be protected from inappropriate development.

4.44 Views of the cathedral from within Our Neighbourhood are many and various: they include the well-known view from a train on the Viaduct and also the view from the railway station, Wharton Park, Observatory Hill, the University of Durham Hill Colleges, Farnley Rise, the approach to the peninsula from Kingsgate Bridge and the slip road from the Motorway to Gilesgate roundabout. Plan 2 from the Durham World Heritage Site (2017, p.19) Management Plan shows notable viewpoints (see Map 2 in the Neighbourhood Plan). This list is indicative and not exhaustive. It is essential that views of the World Heritage Site are not obstructed by new developments.

4.45 The outer setting comprises the surrounding hills and ridges and wider visual context of the City. To the south the outer bowl is essentially rural with the City confined to the foreground and distant settlements situated below the horizon. To the north the character is more developed but with larger areas of open countryside. There are many vantage points from which the World Heritage Site (and its associated urban and green setting) can be viewed with varying degrees of visibility. The outer edges of Our Neighbourhood lie in the outer setting of the World Heritage Site.

Policy H2: The Conservation Areas

L9,L17,L8,L6a,L5b]

Durham City Conservation Area

Development proposals within or affecting the setting of Durham City Conservation Area should **seek to respect the distinctive** **sustain and enhance its special interest and significance as** identified within the **associated** Conservation Area Appraisals.

Development proposals **both** within and affecting the Durham City Conservation Area **and its setting will be permitted only if they comply with** **should take into account, and meet** **where relevant,** the following requirements, **where applicable by:**

- a) **respect sustaining** and **enhanceing** the historic and architectural qualities of buildings, and
- b) **respect sustaining** and **enhanceing** continuous frontages, street patterns, boundary treatments, floorscapes and roofscapes; **unless it can be demonstrated that the harm to or loss of such frontages, street patterns boundary treatments, floorscapes or roof scapes are necessary to schieve substantial public benefits that out weight that loss or harm;** and
- c) **respecting historic boundaries and curtilages;** **retain historic plot boundaries unless it can be demonstrated that the loss of such historic plot boundaries is necessary to achieve substantial public benefits that out weight that loss;** and
- d) **avoiding** demolition of **buildings assets** of historic and/or architectural interest which contribute to the character and appearance of the area **unless it can be demonstrated that their loss is necessary to achieve substantial public benefits that out weight the loss or harm;** and
- e) **avoiding** loss of, or harm to, an element of **a building an asset** which makes a positive contribution to its individual significance and that of the surrounding area **unless it can be demonstrated that the loss or harmunless it can be demonstrated that the loss or harm is necessary to achieve substantial public benefits that outweigh that loss or harm;** and
- f) **avoiding** loss of open space that contributes to the character and appearance of the surrounding area **unless it can be demonstrated that the loss is necessary to achjieve substantial public benefits that outweighs the loss;**and
- g) **protecting important views** of the Durham City Conservation Area from viewpoints within and outside the Conservation Area **unless it can be demonstrated that the loss is necessary to achieve substantial public benefits that outweighs the loss;** and
- h) **taking opportunities to open up lost views and create new views and vistas;** and
- i) **haveing sensitive appropriate scale, height, massing, density, massing, form, layout, landscaping, and open spaces, spaces between buildings, lighting, detailing including choice of doors, windows and wall finishes, and materials which reflect the intrinsic local character;** and
- j) **having materials, detailing and lighting appropriate to the vernacular, context and setting;** and
- k) **useing high quality traditional and non-traditional** design sympathetic to the **traditional character and context** of the local area and **have high quality design**

with regard to the context of the local area and its local significance and distinctiveness, and to the immediate landscape, and to the setting of the World Heritage Site; and

- l) avoiding adding to the cumulative impact of development schemes which dominate either by their size, scale, massing or uniform design.; and
- m) promoting mixed and appropriate use of land within the Conservation Area.

Burn Hall Conservation Area

Proposals for development proposals within and affecting the setting of the Burn Hall Conservation Area will be permitted if they comply with provisions H2 (a), (d), (e), (f), (h) and (i); and

- l) they respect the landscape setting and views of this Conservation Area; and
- m) they propose buildings which in their design conserve and enhance the rural nature of this Conservation Area; and
- n) they promote mixed and appropriate use of land within this Conservation Area. which fall within planning control should sustain and enhance the designated assets and the significance of the Conservation Area.

Map 3: The Conservation Areas

Map 4: Durham City Conservation Area with Character Areas shown

4.46 The Durham City Conservation Area (see Maps 3 and 4) includes the Peninsula with the Cathedral and Castle as its centrepiece, the Market Place and medieval streets leading from Silver Street to the west, Claypath to the north-east, Elvet to the east and the slightly more distant medieval suburb of Gilesgate. The natural 'bowl' in which the City is located, topography, the importance of green wedges of countryside and other significant green areas contribute significantly to, and enhance, the setting of the historic townscape of the City as a whole. The conservation area is widely recognised as being of outstanding importance. Specific districts within the Conservation Area have been identified, each with a distinctive character. The Character Areas in the Durham City Conservation Area which fall in Our Neighbourhood are: Peninsula Area, Framwellgate Area, Crossgate Area, Elvet Area and Gilesgate Area. [L5b] The Conservation Area is divided into five Character Areas, based on the Peninsula and the four adjacent historical Boroughs which have changed little: Framwellgate, Crossgate, Elvet and Gilesgate. A more detailed description of these character areas is given in Appendix A. [L5b]

Durham City was designated as a conservation area in August 1968 focusing on the peninsula, and the area covered was significantly enlarged in 1980 to incorporate a much larger section of the City centre. The Durham City Conservation Area was reviewed in 2015, with some boundary changes, and a character appraisal document produced and formally approved on 29th July 2016. A management proposals section is included in the individual Character Area documents (Durham County Council, 2016b) and development must be in compliance with these. In addition there are appendices naming and describing listed buildings and notable unlisted buildings. [L5b]

4.47 The Burn Hall Conservation Area (see Map 3) includes the country estate of Burn Hall (listed grade II*) with a complex of late eighteenth and early nineteenth century buildings, which stand in a site of 72 hectares. The estate is situated three miles south of Durham City in a rural area, adjacent to the west side of the A167 road, and is enclosed to the north, west and south by the River Browney. The Hall faces south with land falling away and offering views of the river. The principal building is a two storey sandstone Hall designed by Ignatius Bonomi (with an impressive porte-cochere entrance). In the grounds are a nineteenth century wooden conservatory (listed grade II) and a stone ice house (listed grade II). In the park the Home Farm complex includes a stone Cow House and brick Bull House (late eighteenth century listed grade II*). Nearer the Hall, the walled kitchen garden and estate cottages, now converted into offices, date from the late eighteenth century (listed grade II). The grounds are a Grade II registered park and garden.

This Plan recommends that a management plan for the Burn Hall Conservation area is developed and made publicly available with the aim of further protecting this conservation area. [L5b]

4.48 Applicants need to convincingly demonstrate their understanding of the development site's context and how it has influenced their design. Quality of design is important but it does not have to be conservative. [L5b]

Justification

4.49 Conservation Areas are places where buildings and spaces around them interact to form distinctive visible areas of quality and "special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance" (PPG 'Conserving and enhancing the historic environment' para. 023).

4.50 The City of Durham is one of the most important historic cities in Britain. The quality and architectural coherence of the buildings, combining medieval elements with Georgian and Victorian later interventions, contributes to the historic environment. A medieval network of streets and alleyways (vennels), centred on the Peninsula and radiating outwards, with dramatic topography and extensive green spaces make the Durham City Conservation Area exceptional. The City's unique townscape forms the immediate setting of the World Heritage Site, its streets and domestic scale emphasising the World Heritage Site's dominance.

4.51 Durham City was designated as a conservation area in August 1968 focusing on the peninsula, and the area covered was significantly enlarged in 1980 to incorporate a much larger section of the City centre. The Durham City Conservation Area was reviewed in 2015, with some boundary changes, and a character appraisal document produced and formally approved on 29th July 2016. A management proposals section is included in the individual Character Area documents (Durham County Council, 2016b) and development must be in compliance with these. However, the management plan for the Durham City Conservation Area has not yet been published. [L5b]

4.52 The significance of Durham's historic environment is recognised and cherished by experts and local people, who responded to the Durham City Conservation Area appraisal consultation and appreciate that national heritage is a significant economic and social resource. These responses are summarised in the individual Character Area appraisal documents (Durham County Council, 2016b). The intense public interest in sustaining and enhancing the distinctive character of the individual areas within the Durham City Conservation Area indicates the need to ensure that the area's heritage significance and sense of place are given appropriate weight in planning decisions. Proposals for change should be considered in the context of the impact on the heritage significance of the assets affected and their setting. Applicants need to convincingly demonstrate their understanding of the site's context and how it has influenced the design of their proposal. [L5b] The importance of participation and enjoyment of the historic environment for present and future generations must be supported by development that is of high quality in both design and execution and has a durable quality: aspiration for imaginative and well designed buildings is strongly recommended by Historic England (2008, para.138).

4.53 A review of the Durham City Conservation Area was undertaken in 2015 and a character appraisal document was produced and formally approved on 29th July 2016 (Durham County Council, 2016b). The Conservation Area is divided into five Character Areas, each with their own character appraisal, based on the Peninsula and the four adjacent historical Boroughs which have changed little: Framwellgate, Crossgate, Elvet and Gilesgate. Detailed surveys of the character areas indicate that they make a significant contribution to the Conservation Area and support the Peninsula area while having their own diverse and significant individual identities. It is essential that planning decisions support and enhance the character areas while recognising their individual contribution to the Conservation Area. A more detailed description of these character areas is given in Appendix A. They comprise:

1. The Peninsula lies within the natural defence afforded by the River Wear. It has evolved from a fortified citadel with Cathedral and Castle, dominating the Market Place and town at the lower northern end, to a romantic landscape with ornamental gardens. The medieval street layout with key pilgrimage routes has remained largely unaltered.
2. Framwellgate which lies to the North and North-West of the City is of historical importance and developed from The Bishop's Borough. It includes the medieval

church of St Margaret's and the left bank of the River Wear where stood the Bishop's Mill. From this area there was access to the City by the Clayport Gate.

3. Crossgate is the main route to the City from the West. The present residential areas are the result of development in the nineteenth century with robust terraces of well-built brick houses. This area also contains the prized green areas of Flass Vale and Observatory Hill.
4. Elvet lies to the South of the City and along the left bank of the River Wear. It contains part of the river's flood plain and provides an important transition between open countryside and the urban environment. The area has the impressive backdrop of the Cathedral and Castle with many outstanding views.
5. Gilesgate forms the North-Eastern boundary of the Conservation Area and is situated on the right bank of the River Wear before it enters the gorge which surrounds the peninsula. The street plans have been altered to accommodate the A690 but there are many localities which keep their earlier appearance. [L5b]

Policy H3: Our Neighbourhood Outside the Conservation Areas

[L17,L8,L6a,L5b]

Proposals for development proposals within Our Neighbourhood outside the Conservation Areas must demonstrate an understanding of the area neighbourhood of the proposed development and its relationship to Our Neighbourhood as a whole.

Development proposals outside the Conservation Areas will be approved only if they comply with should take into account, and meet where relevant to the area to which the proposal relates, the following requirements, by, in that:

- a) they conserve sustaining and enhance the character and distinctiveness of the area that part of Our Neighbourhood; and they avoid loss of open space that contributes to the character and appearance of the surrounding area, unless it can be demonstrated that the loss is necessary to achieve substantial public benefit that outweighs the loss
- b) they avoiding the loss of open space and public realm that contributes to the character and appearance of the surrounding area unless it can be demonstrated that such loss is compensated by public benefits that out weight that loss; and
- c) using high quality design which contributes to the quality and character of the area; and
- d) they are of a having scale, height, massing, density, massing, form, layout, and landscaping, and open spaces that is sympathetic to the area to which the application relates appropriate to the vernacular, context and setting of the area; and
- e) they use high quality design and materials that are suitable for the area to which the application relates. using materials and finishes appropriate to the vernacular, context and setting of the area.

Justification

4.54 Our Neighbourhood extends beyond the Durham City Conservation Area to the north of the City Centre as far as the suburb of North End, including County Hall and Aykley Heads; to the north-west the residential area of Whitesmocks and west of the A167 Toll House Road, Quarry House Lane and Nevilles Cross Bank leading to Stonebridge; to the south are Durham University's Hill Colleges, Upper and Lower Mountjoy and the Botanical Gardens, and as far as the Burn Hall Conservation Area. These areas are of significance to residents, and the characteristics of these buildings and their setting will become the heritage assets of the future and need to be protected today. [L5b,L8a]

4.55 The characterful residential area at North End, including North and South Crescent, Fieldhouse Lane and adjoining streets, comprises a number of dwellings built in the

interwar period. Architectural features such as doors, porches and windows are of local interest. Extensions are popular additions and should be well designed in keeping with the properties character and appearance. Adjacent to this suburb is Flass Vale, a hidden rural wilderness which adds charm to the area. Residential properties lining Nevilles Cross Bank cover a range of periods from late 19th century terraces to modern houses. To the west of the City and on either side of Tollhouse Toll House [L6a] Road lies the site of the Battle of Nevilles Cross, 1346. The remaining stump of the original medieval cross, marking an approach to the City at Nevilles Cross, is worthy of restoration and subsequent maintenance. In the south of Our Neighbourhood are the University Hill Colleges, Lower and Upper Mountjoy and Botanic Gardens, beyond which is the natural landscape right down to the River Wear and offering space for recreation. The local character of parts of the City which lie outside the Durham City Conservation Area are predominantly residential with some green areas of scenic amenity and value. Here live many local families and older people, who cherish their neighbourhoods and care about the quality of development.

Policy H4: Heritage Assets

[L8a,L5b,L9]

Development proposals which affect a designated heritage asset or its setting will be approved provided that they:

- a) retain, repair and return designated heritage assets to appropriate compatible use; or
- b) they conserve designated heritage assets which are at risk of loss or destruction.

Development proposals which affect non-designated heritage assets will be approved provided that they:

- c) conserve and sustain these assets and their appropriate use; or
- d) bring back into use non-designated heritage assets at risk.

Sites of archaeological significance will be protected from development that compromises the site and its setting.

Designated and Non-Designated Heritage Assets will be protected from demolition or inappropriate development unless it can be demonstrated this is necessary to achieve sustainable public benefit that outweighs the harm or loss caused by the development.

Development proposals affecting heritage assets should demonstrate an understanding of the significance of the asset and give details of how the development proposal will impact on the asset and, where relevant, its setting.

Any harm to designated assets should require clear and convincing justification.

Substantial harm to or loss of a designated heritage asset should be avoided, except in the circumstances outlined in current national policy. Less than substantial harm (or total loss of significance of) designated heritage assets should be refused consent unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits (that outweigh the harm or loss) or the circumstances outlined in current national policy apply.

Harm to a non-designated heritage asset, or an important element of a non-designated heritage asset, should be avoided if viable or practicable.

Development proposals affecting heritage assets will be encouraged and supported where they conserve, enhance and return assets to appropriate active use consistent with their conservation, including those that have been identified as being at risk or under threat.

4.56 "Listing is the term given to the practice of listing buildings, scheduling monuments, registering parks, gardens and battlefields, and protecting wreck sites" (Historic England). A listed building is a building of special architectural or historic interest, as specified by the Planning (Listed Buildings and Conservation Areas) Act 1990 (UK Parliament, 1990). Listing is made at three levels of importance: Grade I, Grade II* and Grade II. The protection applies to the whole of the listed building and any structure attached to it and the land within its curtilage that pre-dates June 1948. A scheduled monument is an historic building or site that is included in the list of Scheduled Monuments kept by the Secretary of State for Culture Media and Sport. The regime is set out in the Ancient Monuments and Archaeological Areas Act 1979 (UK Parliament, 1979).

4.57 Historic England provides the official database of all listed buildings, scheduled monuments, protected wrecks and registered parks, gardens and battlefields. Information about sites in Durham City is available in Durham County Council's Historic Environment Record. 'Keys to the Past' and Durham County Council's 'The Durham Record' provides publicly available information.

4.58 Non-designated heritage assets are "buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets" (PPG 'Conserving and enhancing the historic environment' para.039). Notable unlisted buildings in Our Neighbourhood have been identified through the Durham County Council (2016b) character appraisal of the Durham City Conservation Area. They are listed in Appendix B. These sites therefore have heritage significance which needs to be considered in planning decisions. This list in Appendix B is not exhaustive, is the situation at the time of writing (March October 2019), and other non-designated heritage assets might be identified in the future.

4.59 Protection of the World Heritage Site is covered in Policy H1 and of the conservation areas in Our Neighbourhood in Policy H2. Neville's Cross Battlefield site is additionally covered in Policy G2.

Justification

4.60 There is a statutory duty to protect listed buildings and buildings in a conservation area under Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. For a listed building, consent is required for any demolition, extension or alteration which may affect its character, appearance or significance (PPG 'Conserving and enhancing the hHistoric environment' para. 045044). For a scheduled monument, any work on the site, or nearby operations that might affect it, require consent from the Secretary of State. (Historic England, Identification and Designation of Heritage Assets) (PPG 'Conserving and enhancing the hHistoric environment' para. 048). Designated heritage sites are dealt with under the NPPF (Chapter 16; PPG 'Conserving and enhancing the hHistoric environment' para. 021 to 049038). Applications for planning permissions and listed building consent require consultation/notification to a range of national bodies such as Historic England (PPG 'Conserving and enhancing the hHistoric environment' para. 042 to 057 050 to 062).

However, despite this legal protection, and to the concern of local people, recently development proposals have been approved that have resulted in the loss of heritage assets (see Appendix B: Table B2). The purpose of Policy H4 is to address this concern.

In addition Policy H4 encourages bringing back heritage assets into appropriate use, particularly for assets at risk. The NPPF (para. 192) identifies: "the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation". PPG 'Historic environment' states that: "In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation" (para. 020). It gives examples of heritage benefits: "reducing or removing risks to a heritage asset" and "securing the optimum viable use of a heritage asset in support of its long term conservation" (para. 020).

4.61 Designated and non-designated heritage assets make an invaluable contribution to the character and significance of Our Neighbourhood. Not only is the visual impact important, but the buildings and sites assets of heritage interest provide communal connection; the meanings of a place for the people who relate to it, or to whom it figures in their collective memory, gives a sense of identity. a sense of place, identity and community.

NPPF (para. 197) states that:

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing

applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

4.62 "Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development." (PPG 'Conserving and enhancing the hHistoric environment' para. 041). This Plan urges Durham County Council to incorporate a local list of non-designated heritage assets in the County Local Plan (PPG para. 0410) or alternatively to establish a set of criteria for assessing non-designated heritage assets.