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Draft Supplementary Planning Document on Non-Designated Heritage Assets, March 2024

Thank you very much indeed for the opportunity to comment on the above 1st draft document. The City of Durham Trust strongly supports the County Council's initiative in producing a range of SPDs to assist with interpretation and application of particular County Durham Plan policies. We share the desire to secure consistent and focussed planning applications and submissions that address the requirements laid down in policies and to remove the difficulties that have been experienced by Members, officers, applicants and consultees in some cases. The Trust particularly appreciates that SPDs should be used positively by developers to submit applications that are in line with the guidance they contain and therefore should be capable of approval.

This SPD covers all the appropriate aspects of the definition, identification and selection of non-designated heritage assets (NDHAs). However, the Trust feels that in places it lacks necessary detail and clarity.

p.1 Section 1.2 setting the background rightly says that local heritage is the make-up of our town and cities. We are pleased that subsequently the draft also recognises that local heritage includes landscape. However, this section needs much more explanation and context to clearly define and describe what NDHAs are. The SPD needs to make clear the difference between a designated and non designated asset and that such assets are not just found in a conservation area. The bulleted list of what NDHAs can include needs expansion. For example buildings would include parts of a building like a facade, a wall etc. and cover both domestic and 'commercial' and 'industrial' uses. Monuments would include works of art, milestones, etc. The definition of "areas of landscape" in particular needs much more detail. Are green and blue assets included? How much of a landscape, e.g. a significant clump of ancient trees or the broad sweep of the inner bowl of the WHS? It would presumably include footpaths such as ancient pilgrim and livestock routes into Durham e.g. Clay Lane etc.

p.4 Section 2.5 Assessing the Impact of Development on NDHAs. The Trust welcomes the recognition that NDHAs are an important element of the heritage protection system. In the City of Durham there are potentially hundreds of NDHAs. It is very important that an NDHA should be fully and appropriately considered for all proposals for change within planning applications.

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p.6. Section 3.1 Decision making on planning applications. "Non-designated heritage assets may be identified by the local planning authority during the decision-making process on planning applications as evidence emerges." More detail is needed on how this is done. Can e.g. a member of the public identify an asset being affected by a planning proposal as an NDHA, and if so how do they do this? Note: p.11. Section 4.1 Selection and Ratification Process needs more detail, e.g. the process for different groups, e.g. members of the public/community groups, council staff. The Trust does certainly on occasions make reference to a property comprising a NDHA when making an objection to a planning application. If such property or feature is not already on the List then the Trust feels there should automatically be a determination by the local planning authority whether this is an NDHA and, if it is so determined, included in the Local List. That could be made clear in Section 3.1. However, the process in this section appears to be contradicted on p. 12. 4.4 Limitations. "Please note that heritage assets that are subject to current planning applications or appeals cannot be considered for inclusion on any future local list at that time." The process for identification of NDHAs through the planning process needs far clearer details as this is stated to be the main way NDHAs will be identified.

p.7. Section 3.2 Local and Neighbourhood Plans. The Trust welcomes the inclusion of these plans and the recommendation that as such plans are being produced they should include the identification of NDHAs.

p.9. Section 3.4 Local Lists. We recommend that the requirement for producing local lists is included in the revision of Policy 44.

p.10. Section 3.5 Identification Criteria

As well as the need for a more detailed definition of "areas of landscape" there is insufficient detail in the criteria for such assets. The Historic England Listing Selection Guides for Parks and Gardens covers the built structures within them not the landscape or green assets as such. The criteria headings following could include landscape assets e.g.

1. Age and Rarity - landscapes that have been in existence for a long time. e.g. Observatory Hill; landscapes can have rarity value, e.g. the landscaped gardens on the peninsula reflecting the ideal of a romantic landscape
2. Group Value – Landscape assets by their nature contribute to the setting of other historical assets.
3. Architectural or Artistic Interest - Landscape assets are clearly of artistic interest, e.g. iconic views of the WHS.
4. Historic Interest - Landscape assets are of historic interest, e.g. the peninsula riverbanks, Observatory Hill. They can be of intense importance to local people reflecting their sense of place and historic connection to the locality where they live, e.g. the importance people feel towards the green setting of Durham City and the green 'fingers' reaching from the countryside into the city. They can be settings of important historical events (both in the past and currently) e.g. the racecourse and the Miner's Gala, Durham Regatta and the river.
5. Archaeological Interest - Landscapes assets can demonstrate the past use of the land, e.g. remnants of old agricultural practices, such as field structures and stock routes.

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p.16. Appendix 1 - Criteria

Additions (We assume that if not specified, these criteria cover all types of assets. However, where examples are given they currently do not include landscape assets):

1. Age and Rarity – to determine the age or rarity of the asset.

Add to AR 1. If a landscape asset, estimate how long it has existed in its current form, and outline its changing nature over time.

Add to AR 7. Is it a locally important landmark building, folly, or curiosity, or a locally important landscape asset?

3. Architectural or Artistic Interest

Add AA 11. A landscape asset of artistic value

4. Historic Interest

Add

H1: Events or significant phases or landscape assets in local history.

H5: Strong community significance (e.g., civic buildings, schools, community halls, libraries, landscape assets)

H6: Locally famous or notable people or events or landscape assets

H7: County Durham's social, economic, and physical development and history such as schools, churches, leisure, and entertainment, commercial and employment. Durham's former agricultural heritage and industrial heritage such as mining (of all resources), and railway history should be reflected here.

p.11 scoring process.

Much more detail of the scoring process is needed. A scoring process needs to be transparent and robust. Criteria, and quality and significance, are related but are not identical. The criteria identify the type of asset and its characteristics. However scoring an asset's significance cannot be simply the number of criteria that it meets. Assets differ in their nature (i.e. on p. 1 the bulleted list of 5 types of NDHAs). One type of asset may not meet many criteria but be of high quality or great significance. Another type of asset might meet a large number of criteria but not be of sufficient quality to be scored at the highest level.

Additionally, at the stage where heritage assets of high significance are to be considered for putting forward for the local list or the national list, there might also be other, non-heritage, designations that the asset could also be considered for, e.g. a public right of way (PROW), wildlife site etc.

p.11. Section 4.1 Selection and Ratification Process

"ensuring the property is not covered by other designations". This could be explained further. Does this mean that if an asset already has a designation it cannot be considered for NDHA status? This seems appropriate if the existing designation is a 'heritage' one, e.g. listing by Historic England, but not if the existing designation is for another, non-heritage, aspect of the asset, e.g. for its biodiversity status, or because it is a PROW.

We welcome the inclusion of community representatives in the selection panel.

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p.11 Section 4.2 Access to Information

As the main route for identification of NDHAs will be decision-making on planning applications then it is very important that publicity about the process is shared widely with local groups of all kinds.

p.16. Appendix 1 - Criteria

See our comments above on this topic.

Additionally, how do these criteria interrelate to UNESCO's Intangible Cultural Heritage; the UK is now a signatory to this convention. Intangible cultural heritage can interrelate to objects and places, e.g. the Racecourse and the Miners Gala. Some of the NDHA criteria seem to have aspects of intangible cultural heritage. As a process of identifying our intangible cultural heritage in County Durham gets underway a linkage with the identification of NDHAs would be of benefit.

Conclusions

The Trust applauds this draft and hopes that the above comments are helpful in achieving the welcome purpose of this Supplementary Planning Document.

Yours sincerely

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Chair, City of Durham Trust