

THE CITY OF DURHAM TRUST

Web site: <http://www.DurhamCity.org>

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23rd March 2026

Barry Cansfield,
Durham County Council Planning Development
PO BOX 274
Stanley
County Durham
DH8 1HG

Dear Mr Cansfield,

DM/25/03389/OUT Fernhill Newcastle Road Crossgate Moor Durham DH1 4JZ

Outline planning permission for access and all other matters reserved for the construction of 2no. dwellings with attached garages, demolition of the stable block, conservatory extension on Fernhill and erection of a garage.

The Trust wishes to comment further on four new documents that have been produced. This is in support of its previous objection.

It is particularly welcome that the Non-Designated Heritage Asset Assessment (NDHA) and Design and Conservation Advice acknowledge the significance of house and landscape setting. The Trust supports the conclusion that the NDHA score is 9, at the upper limit of the score banding, and considers that this fully justifies the description as being of high significance.

The Trust stresses that the combination of house and extensive gardens is a particular feature and the two should not be separated. It is a small estate and typical of a particular period of Durham's development on the fringe of the city. Most other examples have been lost or encroached upon by development losing their countryside interface.

While the Trust also welcomes the conclusions of the Landscape Advice in respect of the purposes of the Green Belt and County Durham Plan (CDP) Policy 39, it is notable that it recognises the importance of the site for its strong contribution to purpose D of a Green Belt - preserving the setting and special character of historic towns. The Trust has identified in its objection that the site is an important part of a green wedge running down into the City and that this is recognised as support for its relevance and importance. Exeter, as an example, has long identified, valued, and supported the active conservation of green wedges running down into the city and is of regret that appreciation of Durham City's very important green valleys and wedges has been slow to develop. In identifying that the proposal would not fully conserve the special qualities of the Area of Higher Landscape Value (AHLV) against Policy 39 there is welcome support for the Trust's position on the value of the site. However, the isolation of the landscape topic from the wider heritage value of the site underplays the interrelationship between house and setting and also Club Lane as a historic route (worthy of NDHA recognition in its own right). This leads to an underappreciation of the negative impact of the two new house buildings and very large garage block cumulatively on the landscape locally.

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The applicant's Planning and Heritage Statement stretches the case for the proposals significantly beyond the meaning and intent of National Planning Policy Framework (NPPF), County Development Plan (CDP), and Durham City Neighbourhood Plan (DCNP).

It is clear that the statement in Para. 3.7 that the development is '*landscape-led*' cannot be proven. The garden and buildings, including the entrance lodge, form a whole and the proposal cuts across this with substantial built development of three large buildings and extensive access and hard landscaped areas. The development is building led and the landscaping shown simply attempts to work around this.

The Trust takes particular issue with Para. 6.7. This makes the claim that because Fernhill falls within the boundary of the Durham City Neighbourhood Plan it is part of the built form of Durham city. In fact, the Neighbourhood Plan clearly places Fernhill outside the settlement boundary.

There is a contradiction implied in Paragraph 6.23. Paragraph 6.7 says that the site is '*within the built-up area*'. However, Paragraph 6.23 relies on an Appeal Court judgement that concerned the definition in the Glossary of the NPPF of 'Previously Developed Land (PDL)'. The entire Appeal Court judgement hinged on the fact that the appeal site was outside the built-up area. The Fernhill Planning and Heritage Statement is stating that Fernhill is in a built-up area and at the same time implies that it is in the countryside. These paragraphs should therefore be disregarded.

Para. 6.29 NPPF Purpose D of the Green Belt is to '*preserve the setting and special character of historic towns*'. Inspector Kevin Ward in determining the appeal for this site (APP/X1355/A/11/2162513) considered that development upon this site both extended the built-up area and encroached into the countryside. The Trust therefore repeats this position that the site makes a strong contribution to and upholds Purpose D as now defined in NPPF 2024.

Para 6.40 states that '*The proposal would not cause any significant harm to the openness of the Green Belt*'. Inspector Ward also concluded in APP/X1355/A/11/2162513 that the three split level houses proposed at that time would have an adverse effect on the openness of the Green Belt. The Trust maintains that this is now equally true of the two houses proposed together with the very large garage block. The garage should not be left out of consideration of cumulative impact - it is equal to the footprint of the entrance lodge, nearly half the size of that of the two proposed houses and about a third the size of the main house. Its position to the front of the main aspect of the house will have a significant negative impact. The previous approval of the stabling to the rear has led to consistent attempts to replace it with a house, and the concern is that this could happen to a block of this size. In respect of the justification proposed in Paras 6.40 to 6.43 the Trust points out that openness is a factor in the current NPPF 2024 - '*The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their **openness** and their permanence*'. The proposals effectively subdivide the whole of the site into house plots to which is added the garage block. The Trust contends that the development will cause substantial harm to openness because of the amount of development proposed.

Para 6.62 states that '*The development is within an Area of Higher Landscape Value (AHLV), however development will not have an adverse effect on the surrounding landscape..... the proposal will have benefits for the landscape*'. This is not true. The County Council Landscape Officer commented that '*The proposals would not fully conserve the special qualities of the AHLV*' and that '*The effect would be localised and incremental but would*

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need to be judged as harmful'. The Trust maintains that the development will obviously cause harm to the AHLV.

Para 7.22 states that *'The non-designated heritage assets have been examined and the assets are considered to have a low historic and communal value with a medium aesthetic value. There is no harm identified to either assets'*. The County Council's assessment rates the significance as sufficient to justify NDHA status. This applies to the whole site – the combination of buildings and surrounding garden area. The Trust supports this conclusion and therefore disputes that the development will cause no harm. It clearly will because it separates off the house, creates a large garage block that intrudes upon it and fills much of the landscaped area with new development that can only fail to destroy the house and garden relationship.

Overall, the Trust finds that the Planning and Heritage Statement contains errors, misconstrues the relationship with planning policy, and creates an inappropriate and contradictory narrative to support the application.

Yours sincerely

John Lowe

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