

THE CITY OF DURHAM TRUST

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

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20th August 2026

Ms Emma Price,
Durham County Council Planning Development
PO BOX 274
Stanley
County Durham
DH8 1HG

Dear Ms Price,

DM/26/01846/FPA Land West Of Flass Vale Hall Newcastle Road Crossgate Moor Durham DH1 4HR

Construction of 1no. self-build dwelling

The Trust objects to this application based on negative impact on the Green Belt, an Area of High Landscape Value (AHLV), the setting of Flass Vale Hall and the Conservation Area.

Context

Flass Vale Hall sits on a promontory overlooking Flass Vale. It has grown from a small building or dwelling set within a predominantly agricultural landscape. It evolved with a complex range of alterations and additions through the 19thC, 20thC, and 21stC. The surrounding fields to the original building have been incorporated across this period to form an extensive holding extending down into Flass Vale itself. The Vale has been evolved to become woodland that has become part of the Flass Vale Nature Reserve. The Hall now presents as a large house facing the World Heritage Site (WHS) with surrounding estate and residential gardens. Despite its long period of evolution this echoes an historic pattern of houses orientated on the WHS and in their own estates. As such it has a distinctive form of development, building density and landscape that makes a significant contribution to this part of the Conservation Area. Its low density and extensive landscaping make it part of a substantial area of green infrastructure that buffers against the intrusion of the intensively developed Durham Johnston School.

Flass Vale together with this land holding, that of adjacent Friarside and land north and south of it, are a cohesive whole. This area links with the gap on the other side of the A167 south of the Fernhill estate complex. Fernhill itself is to be developed for two extra houses and large garage building that weakens the gap, an application the Trust strongly objected to and pointed out the damaging precedent set by it. However, the green space both sides of the A167 remains a very significant green wedge from the countryside running down into the heart of the City. This is important in the green infrastructure of the City and the Conservation Area. It is an important component of the inner setting of the WHS.

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The area selected for the proposed house is very clearly part of the gardens to Flass Vale Hall and forms an attractive entrance to the building and is an essential part of its immediate setting. It also includes the drive to the garage and outbuildings serving the Hall. This is demonstrated in the applicant's submitted photographs. The Heritage Impact Assessment confirms its garden status page 1, 4th Para: *'The application site, however, comprises a small and enclosed parcel of residential garden within that wider assessment area'*. The Planning Statement also confirms this Para 6.35: *'However, the application site comprises a small, enclosed garden parcel'*. The County Council itself appears to have acknowledged its current garden status relative to Flass Vale Hall in its pre-application discussion (reported in the Planning Statement). It is the Trust's contention that landscape changes have not severed the proposed plot from the Hall and visually it is an obvious and attractive approach. It is disingenuous to claim that it is a visually separate plot when clearly the submitted photographs show it is not - see *Figure 24* below produced by Southern Green as part of the submission.



The Proposal and Impact

1.0 Green Belt

Flass Vale Hall and its surrounding estate are an important part of the Green Belt as it extends down into the City. This section of the Green Belt includes the Local Nature Reserve and a wider area designated as a Local Wildlife Site, the whole being an Area of High Landscape Value. Individually these are important but there is great strength and value to the City stemming from their combination. The Hall, estate, and gardens together with Friarside and its grounds are part of this whole. To select any one small part and suggest that it is available for development because of its size and treatment is to undermine the collective designations. This process would lead to an increase in development density destroying component parts of this important green infrastructure.

The Trust considers that the proposed plot is part of the area that is important in upholding the following Green Belt purposes:

a) *to check the unrestricted sprawl of large built-up areas*

The areas adjacent to the site are extensions of developed areas which define the Flass Vale green wedge and adding this new dwelling will help link the adjacent Durham Johnston School development with the Hall extending a built wedge into the Vale area.

d) *to preserve the setting and special character of historic towns*

The area has specifically been included in the Conservation Area for its heritage value and importance in providing the green setting to the historic City and World Heritage Site. It divides older sections of the City from newer development. It makes a considerable contribution to the special character of the historic City. This is a result of being of significant visual importance to the historic aspects of the City. The value is spatial in that the majority of the area is open green space or trees and visual in that it is free of intrusive development.

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The proposed site, as noted above, is part of the whole and should not be separated out for development.

The Trust considers that the NPPF Policy is applicable in ruling this site out of being Grey Belt and fails to meet any of the exception policies. None of the exceptions noted under **NPPF (August 2026) Paragraph GB7** apply. There is no clear demonstrable need for this proposed single dwelling, The plot is not previously developed land, it lies within a built up area and is residential garden, a description supported by the applicant's own submitted evidence. It is urban as defined by the Durham County Council Landscape Strategy. As a single plot it will not contribute in any appreciable way to reducing any shortfall in Durham's housing provision.

NPPF Policy Paragraph GB7 defines an exception: *e).The redevelopment of previously developed land'*. This does not apply because the definition of previously developed land rules it out. The following section in the **Glossary of NPPF 2026** applies: **Previously Developed Land** - *Previously developed land excludes: land in built-up areas such as residential gardens.*

Similarly, the land is not Grey Belt because of it not being previously developed land: **Glossary of NPPF 2026 Grey Belt** *For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in policy GB2'.* The Trust considers that it has demonstrated the plot's importance under Green Belt purpose a) and d).

It is detrimental to the Green Belt and its purposes to cherry pick specific plots and seek to isolate them from the area that they are part of. In this instance the plot is residential garden appropriate to the Hall and provides its setting. The submission fails to prove that the plot is Grey Belt and proves the Trust's point that it is not previously developed land. No exclusions apply and the proposal is inappropriate. Substituting garden space for a large two-storey dwelling is an obvious case of negatively impacting on openness. It will be an incongruous pattern of development, an extended "finger" of development into the Green Belt.

Conservation Area

Building on the Trust's identification of the reduction of openness, the proposal also impacts negatively on the Conservation area and should be determined against the policies of both County Durham Plan (CDP), and Durham City Neighbourhood Plan (DCNP).

The illustrated proposal is for a large two-storey house sitting very close to the Hall and its entrance. It is described as contrasting in style but, in reality, it will clash because of its very different style set against the traditional styling of the Hall. There is no dialogue between the proposed and existing buildings that is detectable from the submission. The new building has simply been placed in the middle of the garden area at odds with the Hall entrance and its setting. If approved, it will remain uncertain that a prospective house developer/builder will construct the building as depicted, the design approach and quality cannot be guaranteed. In **NPPF 2026 DP3: Key principles for well-designed places** there is a requirement under **No.1** to integrate and enhance their surroundings through the arrangement development plots and boundaries. Under **No.2g** there is also a requirement to create visually distinctive and characterful development to maintain a strong sense of place. Because the design does not relate to Flass Vale Hall by layout or design and removes the setting to the Hall, it fails against both these requirements.

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As described above, the house and gardens with woodland setting is a distinct entity and one that is very appropriate to the Conservation Area and Flass Vale. It is of a low density and high proportion of landscape setting. It is a positive asset in the context of Flass Vale and maintaining its green infrastructure and setting role. This is of special importance in the character of the immediate area, Flass Vale and the setting to the historic City. The insertion of the new house would negatively impact on the garden approach to the Hall and its characterful balance of buildings, stone boundaries, and landscaping.

The emerging County Council Conservation Area Appraisal identifies the following special characteristics for Flass Vale:

- An integral part of the wider landscape intrinsic to the character and appearance of the city centre.
- Significant green space that penetrates into the urban built form of the city.

The loss of green space to building within Flass Vale must, by definition, cause harm to the extent of that green space. The Trust maintains that carving out sections of that green space and substituting it with housing is the loss of an integral part of the wider landscape, further fragmenting that space and this altering the character of the wider area. It very obviously does not follow the very low density house/estate pattern demonstrated by the Hall.

This has already happened at Fernhill on the other side of the A167 and to accept this proposal will be to encourage adjacent larger properties to attempt infill of their sites decreasing the building to landscape ratio. It should be noted that a site to north of Flass Vale Hall and other sites on the other side of the A167 appear on the scoping map for the forthcoming County Durham, Plan as potential development sites. If this happened, it would completely sever and isolate Flass Vale to the detriment of its function and character. It is concerning that the grass area to the north of the proposed plot is separated off by a hatched line on the landscape plan that also shows a new access into that area. The Trust's conclusion is that there may well be a following application to develop this area as well, increasing the harm to the Hall and Vale.

In removing the Hall's garage and outbuilding there is the potential for follow-on proposals associated with the Hall to replace them, increasing the built density. This is a real threat having been demonstrated at Fernhill to the detriment of the character of main building and garden/landscape setting.

It also makes a minor contribution to the green setting of the WHS and is important for retention as unbuilt garden space.

Area of High Landscape Value (AHLV)

The area lies within this definition as part of Flass Vale. The proposal shows loss of trees and the orchard area for the garage/driveway. These are replaced with surfaced area for the driveway and access. The landscape plan proposes woodland edge/woodland planting and new trees. However, a substantial proportion of these will not include larger trees due to house and garage proximity. The proposal is of limited value in the wider landscape and removes an established and useful orchard area.

It is obvious that green features will be removed by the proposal – trees and the grass area itself that will be to the detriment of the setting to the Hall. The substitution of green space for building cannot be considered as compatible with the AHLV description. Joining up the built area by forming a block with the Hall and adjacent school will obviously weaken the edge of the Vale and the quality of the AHLV.

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The Trust's conclusion is that the development will not make a positive contribution and will have negative impact. This is important in considering it against the requirements of NPPF, CDP and DCNP policies.

Planning policy failures are indicated in the appendix below.

Yours sincerely

John Lowe

Chair, City of Durham Trust

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Celebrating, Protecting and Enhancing the City of Durham

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Appendix – Planning Policies

The Trust considers that the proposals fail against the following planning policies:

County Durham Plan

Policy 20 Green Belt

Development proposals within the Green Belt will be determined in accordance with national planning policy – the proposals fail to meet NPPF policy.

Policy 29 Sustainable Design

- b. The proposals fail to contribute positively to an area's....townscape.
- h. The landscape proposals fail to respect and where appropriate take opportunities to create attractive views of....the site.

Policy 44 Historic Environment – Conservation Areas

The proposals fail to:

- f. demonstrate the understanding of the significance, character, appearance and setting of the conservation area and how this has informed proposals to achieve high quality sustainable development, which is respectful of historic interest, local distinctiveness and the conservation or enhancement of the asset;
- h. show respect for, and reinforcement of, the established, positive characteristics of the area in terms of appropriate design (including pattern, layout, density, massing, features, height, form, materials and detailing).

Durham City Neighbourhood Plan

Policy S1: Sustainable Development Requirements of all Development and Redevelopment Sites Including all New Building, Renovations and Extensions Conservation, preservation and enhancement of Our Neighbourhood

The proposal fails because they do not:

- c) Harmonise with its context in terms of scale, layout, density, massing, height, materials, colour, and hard and soft landscaping;
- d) Conserving the significance of the setting, character, local distinctiveness, important views, tranquillity and the contribution made to the sense of place by Our Neighbourhood's designated and non-designated heritage assets;

Policy H2: The Conservation Areas - Durham City Conservation Area

The development proposals affect the setting of the Durham City Conservation Area and do not sustain and enhance its significance as identified within the Conservation Area Appraisals.

The development proposals are within and affect the Durham City Conservation Area and do not take into account, and meet, the following requirements, by:

- i) not having appropriate scale, density, massing, form, layout, landscaping, and open spaces; and
- j) not having materials, detailing and lighting appropriate to the vernacular, context and setting; and
- k) not using high quality design sympathetic to the character and context of the local area and its significance and distinctiveness, and to the immediate landscape.

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Policy G1: Protecting and Enhancing Green and Blue Infrastructure

Protecting green and blue assets

Protecting and enhancing green corridors

The development proposals will impact on a green corridor and do not maintain or enhance its functionality and connectivity. The development proposals do not improve the existing green corridor and should not be supported.