

# Non-Designated Heritage Asset Supplementary Planning Document Second Draft (2024)



## 1. Introduction

This is the second draft of the Non-Designated Heritage Asset Supplementary Planning Document (SPD). The document has been prepared in accordance with planning regulations, which require two formal consultation the first such round taking place from 27 May to 7 July 2024.

SPDs provide detail to policies contained within the County Durham Plan (CDP) - this document is linked to Policy 44 (Historic Environment). They establish guidance which is regarded as a material consideration that can be taken into account when determining planning applications.

The document will also be published on the council's website for comment. It can also be made available on request at all libraries and customer access points throughout the County, as well as at main council buildings. A Consultation Statement has also been prepared setting out the comments and changes made to the document following the first consultation period.

### 1.1 Aims

- **To define a non-designated heritage asset in the context of national and local planning policy**
- **To define the selection criteria against which the County's non-designated heritage assets are to be identified and assessed.**

### 1.2 Background

Local heritage, whether it is protected in law or not, plays an important role in creating and being part of our collective sense of place. It is the make-up of our towns and cities, their history and evolution, that contributes to how we recognise and identify the local character and distinctiveness of the places we call home or visit. NDHA can be found anywhere and are not restricted to historic areas or those which have already been recognised as having heritage significance.

Much excellent work has been done within local communities across the County identifying locally valued heritage of great variety through a number of different processes. This SPD is not intended to be applied retrospectively and deals solely with future identification of non-designated heritage assets and those considered within the planning process.

The term *non-designated heritage asset* is the formal term used in planning guidance and policy; however, it can encompass assets referred to as *locally valued heritage assets*, *locally listed assets* and many other references to local heritage which does not meet the definition of designated assets.

Non-designated heritage assets can include locally identified:

- **Buildings** – this would apply to any form of building in any type of use and can also include component parts of buildings which may have appropriate significance in their own right. Other built structures could be included such as walls, gates and outbuildings;
- **Monuments/Street Furniture** – this could include traditional monuments, commemorations, street signs, bollards, fountains, sculptures public artworks, milestones etc;
- **Sites** – this could include sites of historic or culturally significant events, assets associated with the social and economic history of an area, including characteristic local industrial, commercial or agricultural activities; intangible aspects of heritage such as traditions and practices; or literary associations;
- **Places** – this could include places or parts or places which do not meet the criteria for conservation area designation and could include patterns of settlement, notable examples of planned or incidental planning including street plans, characteristic clusters of assets or the interrelationship between buildings and open spaces etc; and
- **Areas of landscape** – this could include urban and rural/semi-rural landscapes of any scale, green and blue infrastructure, designed and less formal spaces, pocket parks, tree groups, historic routes, lanes, allotment, notable domestic gardens etc.

The above list is not exhaustive, and it is the significance of the asset which is most important, not a direct fit to any particular category. It is possible that an NDHA may represent more than one category.

These assets are to be 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. Designated assets include listed buildings, scheduled monuments, registered parks and gardens, protected wreck sites, historic battlefields, and World Heritage Sites.

Non-designated heritage assets can be identified in a number of ways, including:

- Decision-making on planning applications
- Local and neighbourhood plans
- Conservation area character appraisals and management plans
- Local heritage lists



*Terrace of 12 Almshouses built in 1860-1, Staindrop.  
An example of an asset identified on a Local List.*

## 2. Planning Policy Context

### 2.1 National Policy

The National Planning Policy Framework (NPPF (2023)) gives great weight to the protection of heritage assets and their significance. This means that their contribution and local interest must be considered in the determination of planning applications and through planning processes.

The NPPF (Paragraph 209) states that the effect of an application on the significance of an NDHA should be considered in determining the application. In weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset. NDHAs of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the same policies for designated heritage assets (in this case Policy 44 of the CDP).

### 2.2 NDHAs and Archaeology

The majority of archaeological sites and landscapes remain undesignated. Scheduling is at the discretion of the Secretary of State, who may decide that it is not appropriate, even for sites which are found to be of national importance. Some archaeological sites cannot be designated because they are outside the scope of the Ancient Monuments and Archaeological Areas Act 1979, due to their physical nature.

Clarity as to where there is potential for the discovery of such archaeological heritage assets is helped if plans, both local and neighbourhood, indicate areas where such potential exists; these can be noted in the Historic Environment Record. Footnote 72 of the NPPF requires non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, to be considered subject to the policies for designated heritage assets.



*Archaeological remains, bridge footings beside River Wear, Durham City centre.*



*Footbridge over Coundon Burn (collapsed), Auckland Castle Park.*

### **2.3 County Durham Plan**

Policy 44 of the CDP sets out local planning policy requirements which align with the NPPF. The CDP is supported by Neighbourhood Plans (NPs) which have been adopted for several parish areas across the County. Many of these documents identify NDHAs which have been agreed through a formal and thorough public process.

Whilst the identification of an NDHA does not provide any additional planning controls, it means that its conservation as an NDHA is an objective of the NPPF and the CDP, which is a material consideration when determining a planning application.

### **2.4 Neighbourhood Plans**

Neighbourhood Plans may contain additional policies which affect NDHAs. They often identify non-designated heritage assets; however, they can be recognised under a variety of different terms and through different methods of identification. Much can be learnt from the positives including working with industry bodies or specialists on criteria and identification, the proactive involvement of communities in implementing these, audits, evaluation, photography standards, lists and descriptions, maps and resultant policies. This SPD is intended to allow for such variations to be set within a more structured framework, but not to replace the positive approaches already established and the previous examples of good practice.

### **2.5 Assessing the Impact of Development on NDHAs**

The identification of NDHAs is an important element of the heritage protection system. Local designation such as in the form of NDHA status can aid in the management of local heritage through the planning system. It is important to note that the identification of an NDHA imposes no additional planning restrictions rather it imposes a need to consider the impact on the asset as part of the planning process. The NPPF states the following:

“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.”

The NPPF defines significance as ‘The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic’. It may derive ‘not only from a heritage asset’s physical presence, but also from its setting’. Conservation is the process of maintaining and managing change to heritage assets in a way that sustains and, where appropriate, enhances their significance.

Applications for alterations and/or extensions to NDHAs will be required to incorporate proposals which preserve or enhance the significance of the NDHA and its setting.

Unless there are demonstrable public benefits which outweigh the harm, the following types of development affecting NDHAs will normally be resisted:

- Total or substantial demolition;
- Destruction & damage to archaeological sites;
- Inappropriate alteration or extension;
- Harm to the group or thematic value of the heritage asset; and
- Development that would have a detrimental impact on the setting or context of the asset.

Plans for long term maintenance and future restoration of identified NDHAs will be encouraged. Applications proposing demolition of an NDHA will be expected to demonstrate that all reasonable alternatives have been explored and justify why such alternatives are not viable. A heritage statement will be required to be submitted with a planning application affecting an identified NDHA.

The highlighting of NDHAs through means such as neighbourhood plans, conservation area character appraisals or local lists can also help increase the profile of local heritage by identifying heritage assets which are of importance to local communities. In addition, the NPPF also highlights the contribution of NDHAs to the development of the evidence base used to support local plan making and the preparation of neighbourhood plans.



*The Square, Sedgefield. A group of cottages whose group value is an important element of their NDHA status.*

### 3. Procedure for Identifying NDHAs

As highlighted in the introduction to this document there are numerous ways in which NDHAs have and continue to be identified. To date there has been no specified criteria against which such identification has been undertaken leading to difficulty in comparison of significance and confusion as to how decisions on value are reached. The following gives a brief overview of the identification of NDHAs in County Durham.

#### 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. The potential that an NDHA may be affected by a planning application can be highlighted by any group or individual in the planning process as part of representations. On receipt of a suggestion that an NDHA is affected, if this is previously unidentified then an assessment will be carried out by the Durham County Council Conservation Team to ensure the criteria of this SPD are met. Any such decisions to identify non-designated heritage assets need to be made in a way that is consistent with the identification of non-designated heritage assets for inclusion in a local heritage list or equivalent process, properly recorded, and made publicly available, for instance through recording in the Historic Environment Record (HER). To date, the majority of NDHAs have been identified through this process and it is likely that in the discharge of the planning function this will remain the case.





*Tommy sculpture, Seaham.*

### **3.2 Local and Neighbourhood Plans**

The Local Plan contains appropriate policies to support the protection of non-designated heritage assets wherever identified. This SPD adds clarity and detail to references in Policy 44 and elaborates on the methods of identification. Local lists (discussed below) are not currently addressed in Policy 44.

Neighbourhood Plans may establish policies for the development and use of land in a local area - normally a parish area. They form part of the development plan when adopted. Work in preparing a Neighbourhood Plan may thus usefully include the development of a policy, or policies, which set out how proposals affecting non-designated heritage assets will be considered, and consideration of which buildings and sites might merit inclusion on a local heritage list. There are a number of Neighbourhood Plans in County Durham which identify lists of NDHAs. Those developing future Neighbourhood Plans should adopt the criteria within this document to identify future assets. Assets previously identified within Neighbourhood Plans will not be affected unless they arise within the planning process in the future. At this point they will be reassessed based on any changes of circumstance against the criteria set out within this SPD



*Former Harrison's Organ Works, Durham City.  
Identified within the Durham City Neighbourhood Plan.*

### 3.3 Conservation Area Character Appraisals

Conservation areas are designated by local planning authorities to recognise an area of special architectural or historic interest. They are generally valued by those living and working in them as special places. Conservation areas may often contain buildings, structures, street furniture, art works, sculpture, archaeological areas or historic parks, gardens and other designed landscapes which are of local interest. Conservation area appraisals are a useful starting point for the identification such items as non-designated heritage assets. One particularly relevant aspect of the appraisal process is the identification of unlisted buildings that make a 'positive contribution' to the character of a conservation area. All revised and new appraisals will include lists of NDHAs.



*The Old Smithy, Sedgfield. Identified as a non-designated heritage asset within the adopted Sedgfield Conservation Area Character Appraisal.*

### 3.4 Local Lists

Inclusion of NDHAs on a local list is one form of identification. Local lists in County Durham apply to only a small number of settlements as a result of a pilot project undertaken with funding from Government in 2020. Local lists of NDHAs have been completed and published following endorsement by the Cabinet of DCC for eight pilot areas: Bishop Auckland, Durham City, Seaham, Sacriston, Sedgefield, Staindrop, Shotley Bridge, and the route of the former Stockton and Darlington Railway, (including Shildon). Further assets will be added to the local list as they are identified through any process based on the criteria set out below and as a result of further geographic or thematic identification projects. NDHAs added to the local list are likely to be those with the highest local significance, identifying them as some of the most important. You can search for entries on the local list through the Keys to the Past website.



*St. Aidan's College, Durham City.  
An asset identified on the Durham City local list.*

### 3.5 Identification Criteria

Historic England advice on the identification of local heritage is provided in 'Local Heritage Listing: Identifying and Conserving Local Heritage, Historic England Advice Note 7' 2<sup>nd</sup> Ed (2021). The guidance within this document along with guidance contained in the national listing selection guides and supporting documents published by Historic England (dealing with listed buildings, scheduled monuments, registered parks and gardens, registered battlefields and protected wreck sites) have been used to inform local criteria for County Durham which respond to local context and values.

In order to ensure that the identification of NDHAs is transparent and follows a clear methodology which can be applied to whichever process may identify such assets, a detailed assessment criteria has been developed which is included at appendix 1.

The following five headings are used to provide a methodology to assess whether an asset constitutes an NDHA. The word "asset" is used as a collective term to cover any potential NDHA:

- 1. Age and Rarity** – To qualify assets will normally be more than 30 years old, unless their contribution or reason for being can be demonstrated to be of the highest importance to the local community. In the case of buildings, older buildings will typically be rarer examples of their type and age and they may have been built or designed for a specific use or purpose.
- 2. Group Value** – To be of group value, this relates to the extent to which the asset contributes to the architectural or historic interest of any group of assets of which it forms part.
- 3. Architectural or Artistic Interest** - To be of architectural interest an asset must be of importance in its design, decoration or craftsmanship. Artistic distinction can also be a factor relevant to the architectural interest of assets, other buildings and objects or structures fixed to them.
- 4. Historic Interest** - To be able to justify historic interest an asset must illustrate important aspects of the local history and/or have closely substantiated historical associations with local or nationally important individuals, groups or events; and the asset itself in its current form will afford a strong connection with the valued aspect of history.
- 5. Archaeological Interest** - There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

The outcome of the assessment is based on a simple scoring process as shown below:

Criteria Met	Level of significance
0	No Significance
1-2	Low Significance ( <i>for archaeology assets see Section 3.6</i> )
3-5	Moderate Significance
6-9	High Significance (NDHA & potentially locally listable)
10+	Exceptional Significance (Locally listable & potentially nationally listable)

Given the historic and architectural heritage of County Durham it is highly likely that many items will achieve a score in the assessment process and as such it is necessary in to set a benchmark to ensure the designation is not undermined. Those items assessed as meeting between 0-5 criteria may have no, low or moderate significance, in these circumstances for the purpose of the planning process they will not be identified as NDHA. Those assets achieving a score of 6-9 and having high significance in the local context will be identified as NDHAs. Those achieving the upper end of the band (8-9) will be considered in more detail as possible additions to the local list subject to further research, consultation and reassessment. Those achieving 10+ will automatically be added to the local list and in exceptional circumstances considered as nominations to Historic England for statutory listing. These cases will be rare and are likely to affect previously underrepresented periods or styles of assets, in line with the strategic listing priorities of Historic England.

### 3.6 Archaeology

Because of the legislative and policy context of archaeological assets a lower bar is set for their identification as NDHA. This is primarily because by definition they are likely to be non-designated but unable to meet the criteria for other assets. A score of 1-2 as a minimum will identify archaeology as an NDHA where enough information and evidence is available to reach any conclusion. Speculation of existence without evidence will be insufficient.

## 4.0 Governance and Ratification

### 4.1 Selection and Ratification Process

At the time of identification, through whichever process, an NDHA nomination form will be completed which will then be considered against a basic checklist i.e, address/location; ownership; reasons for nomination; ensuring the property is not covered by other heritage designations and that photographs are available for identification.

Those identified through the planning process, the plan making process or the preparation of an appraisal or management plan will then be scored against the criteria. Following the appropriate consultation processes those meeting the criteria

will be added to the HER. In order to avoid any undue delay of the development management process assessment of possible NDHA will be undertaken by the appropriate DCC officers within the normal consultation timescale.

Those nominations which meet the criteria for possible addition to the local list will be subject to more rigorous consideration. A selection panel with a representative and inclusive membership would then be set up, including appropriate DCC officers, local history experts and community representatives to consider nominations received and to determine which NDHAs would be eligible for inclusion. This will ensure that all nominations are treated fairly.

## **4.2 Access to Information**

The defined selection criteria and local lists will be published on the Council's website. The information will also be held on other council databases where appropriate and relevant. Assessment forms will not be published for individual assets but are available on request to explain how decisions have been reached.

All NDHAs will be entered on the Historic Environment Record which through the normal search process will inform research and supporting documentation to planning applications. Local lists form part of the HER.

## **4.3 Nominations and Deletions**

If you would like to make a nomination that may be included in the next review (reviews will take place every 6 months) and possibly added to the HER or Local List, please email [design.conservation@durham.gov.uk](mailto:design.conservation@durham.gov.uk). You should include as much information as possible:

- Name and address of the building, structure or space you wish to nominate
- Your reason for nominating based on the adopted criteria
- Photographs
- Background information, such as an account of the history of the nomination
- Any other relevant information

In order to determine whether or not your nomination will be included at the next review the advice of the expert panel will be sought. Their decision will be based on the election criteria. If the nomination meets the criteria to be added to the local list, then the owners and occupiers will then be consulted in order to give them the opportunity to comment. Assets identified through the planning process or the plan making process will be subject to normal consultation procedures and owners and occupiers will be able to comment through this process.

Requests for an asset to be removed must be supported by evidence to show that the asset no longer meets the criteria for selection, has been demolished, or has undergone changes that have a considerable negative impact on its significance and therefore no longer merits inclusion.

## **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. Similarly, where permission has been granted for demolition, heritage assets cannot be considered eligible.



## 5. Examples of Non-Designated Heritage Assets



*Scarth Hall, Staindrop  
Asset type: Building*



*34-35 Fore Bondgate, Bishop Auckland  
Asset type: Building*



*Former Shildon Wagon Works  
Asset type: Former industrial building*



*Chaldron Wagon, Shildon  
Asset type: Monument / installation*



*Auckland Tower, Bishop Auckland  
Asset type: Building/Structure*



*K6 Telephone Box, Bishop Auckland  
Asset Type: Street Furniture*



*Pulse Clock, Sacriston  
Asset type: Public Art*



*Cobbles and floorscape in Durham City  
Asset type: Floorscape*



*Hackworth Park, Shildon  
Asset type: Landscape / parkland*



*St. Mary's College, Durham City  
Asset type: College building and landscape*



*Statue of Timothy Hackworth  
Asset type: Statue*



*St. John Fisher RC Church, Sedgfield  
Asset type: Place of worship*

## 6.0 Further Reading

### 6.1 Planning Policy

[National Planning Policy Framework](#)

[County Durham Plan 2020](#)

[Neighbourhood Plans for County Durham](#)

### 6.2 Historic England Guidance

[Historic England – Listing Selection Guides](#)

[Historic England Advice Note 7; Local Heritage Listing: Identifying and Conserving Local Heritage. 2<sup>nd</sup> Edition, 2021](#)

[Historic England – Conservation Principles, Policies and Guidance, 2008](#)

### 6.3 Heritage Guidance

[Adopted Conservation Area Character Appraisals for County Durham](#)

[Keys to the Past \(Historic Environment Record\)](#)

## Appendix 1 – Criteria

**Table 1: Age and Rarity - to determine the age or rarity of the asset**

AR1	Is the asset of undetermined age but likely to be of some considerable age?
AR2	If the building was built before 1840 (pre-Victorian), does it survive in anything like its original external condition?
AR3	If it was built between 1840-1919 (Victorian/Edwardian), does it retain its original features? Is it of sufficient quality to distinguish it from other buildings of that period in County Durham?
AR4	If it was built between 1919-1939, is it a good or important example of the style of the period?
AR5	If it was built between 1939-1945, is it a surviving example of a wartime structure that illustrates or is an example of a local history experience?
AR6	If it was built after 1946, is it a building of high quality and the design, perhaps by a locally important architect?
AR7	Is it a locally important landmark building, folly, or curiosity?

**Table 2: Group Value – to determine if the asset forms part of a group of assets which collectively, either planned or fortuitously contribute to making an attractive scene or place**

GV1	Positively contribute to the richness of the townscape or landscape or the setting or group value of designated heritage assets, for example key landmark structures, notable structures on important routes into the area, assets which create a vista or contribute to the skyline, buildings or structures which are integral to the cherished local scene or associated with an asset, features of landscape value.
GV2	Exhibit group value, sharing a common design relationship, especially where these assets are grouped together in a distinctive way or from a particular view.
GV3	Is this view enhanced by a natural feature such as topography or layout?
GV4	Is the group enhanced by separation and space between or around assets?

**Table 3: Architectural or Artistic Interest**

AA1	Are locally valued for their architectural interest.
AA2	Demonstrate design features characteristic of the local area and are a good example of the local vernacular.
AA3	Display ornate features, demonstration of special craftsmanship, or richness of small details of construction.
AA4	Have architectural associations with locally or nationally notable architects, designers, landscape architect or engineers.
AA5	Demonstrate a pioneering or innovative example of an asset type, structure, use of materials.

AA6	Retain, to a considerable degree, their original design or important phases of their design.
AA7	Employ interesting, specifically local or unusual materials or combinations of materials, which may be traditional or locally sourced or used in an innovative way for the period of building or materials used to impress through their cost or rarity.
AA8	Where a building is publicly accessible, is the interior finish of high quality or illustrative of a local way of life or trade?
AA9	Display some degree of creative skill in its production, design or later alteration, whether through sculpture, painting or other method of decoration or ornamentation; Are the work of nationally or locally famous artists or craftspeople.
AA10	Display special decorative features that are aesthetically pleasing for their own sake, which contribute to the design and appearance of a building, place, or landscape, without necessarily having a utilitarian function.

**Table 4: Historic Interest**

H1	Events or significant phases in local history.
H2	Activity crucial to the development of a place.
H3	Local industries, local commercial activity, past communities, conventions, and traditions.
H4	Human interaction with the landscape and topography of the district.
H5	Strong community significance (e.g., civic buildings, schools, community halls, libraries).
H6	Locally famous or notable people or events.
H7	County Durham’s social, economic, and physical development and history such as schools, churches, leisure, and entertainment, commercial and employment. Durham’s former industrial heritage such as mining, and railway history should be reflected here.
H8	Have strong community significance for which the local people hold in high regard or attach importance to.
H9	Display or illustrative of diversity within the local community, such as work carried out by an ethnic minority group or temporary group such as Prisoners of War, examples of work by the LGBTQ community or designed by women as an example unusual in the period which they were built or illustrative of a period in the local history of the area.

**Table 5: Archaeological Interest – assets that are the primary source of information about the development of places and people who inhabited them in the past**

A1	From a period before written records, so archaeological research is the main way of finding out about them
A2	From a period of limited written records, where archaeological evidence adds considerably to our understanding
A3	From a period with written knowledge, but is a type of feature, building or process about which little was written

A4	From a site which has been previously excavated so is known to contain archaeological remains
A5	F from a type of site where remains are likely based on excavated examples elsewhere