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**CONSERVATION AREA DESIGNATION ASSESSMENT: WHETHER OR NOT TO  
DESIGNATE LOW CONISCLIFFE  
(Designation requested by Low Coniscliffe and Merrybent Parish Council)**

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**Responsible Cabinet Member -  
Councillor Chris McEwan, Economy and Regeneration Portfolio Councillor**

**Responsible Director -  
Ian Williams, Director of Economic Growth**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To consider a request by Low Coniscliffe and Merrybent Parish Council that Low Coniscliffe be designated as a Conservation Area.

**Summary**

2. The Parish Council have requested that Low Coniscliffe be designated as a Conservation Area. In support of this they have compiled a supporting document detailing the history and architectural characteristics of the village (**Appendix 1**).
3. Having considered the information submitted by the Parish Council, this report provides an assessment of whether Low Coniscliffe has the 'special' architectural or historic interest to justify its designation. This is informed by Historic England guidance on what can and cannot form the basis of a Conservation Area.
4. Officers conclude that Low Coniscliffe does not warrant designation as a Conservation Area due to the village not exhibiting the 'special' architectural or historic interest to justify its designation under the Planning (Listed Buildings and Conservation Areas) Act 1990.

**Recommendation**

5. It is recommended that Low Coniscliffe is not designated as a Conservation Area.

## Reasons

6. The recommendations are supported by the following reasons :-

- (a) Low Coniscliffe does not have the 'special' architectural or historic interest to justify its designation as a Conservation Area under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (b) The National Planning Policy Framework (paragraph127) clearly sets out that when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status to ensure the concept of conservation is not devalued through the designation of areas that lack 'special' interest.

**Ian Williams, Director of Economic Growth**

## Background Papers

No background papers were used in the preparation of this report.

Rosalind Kain: Extension 6326

S17 Crime and Disorder	This decision would not impact on the prevention of crime and disorder in the Borough.
Health and Well Being	The decision would not impact on the health and wellbeing of the people in the Borough.
Carbon Impact	The decision would not have any carbon impact.
Diversity	This decision raises no issues relating to the Councils duty to comply with the Public Sector Equality Duty (PSED) under S.149 of the Equality Act 2010.
Wards Affected	Heighington & Coniscliffe Ward
Groups Affected	The decision would not affect particular groups within the community more than others.
Budget and Policy Framework	This decision does not represent a change to the budget and policy framework.
Key Decision`	No.
Urgent Decision	It is not an urgent decision.
One Darlington: Perfectly Placed	The decision is not relevant to the overarching aims of this Council strategy.
Efficiency	The decision would not impact on the efficiency of the Council.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Guidance on the designation of Conservation Areas

7. As Conservation Areas are designated locally there are no standard criteria (as with listing, for example). The National Planning Policy Framework (NPPF) says 'when considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest' (para 127).
8. Conservation Areas are places where buildings and the spaces around them interact to form distinctly recognisable areas of special quality and interest. It is the quality and interest of areas, rather than that of individual buildings, which should be the prime consideration in identifying Conservation Areas. Historic England guidance known as HEAN1 (Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1, February 2016) provides guidance on what can and cannot normally form the basis of an area (paras 7, 11-13, 17, 18). It suggests considering places where the controls which designation brings would be of benefit (including controls over demolition of unlisted buildings, some advertisements, some works to trees, and limitation of some permitted development rights), and it encourages consideration of:
  - (a) areas with a high number of nationally designated heritage assets (listed buildings, registered parks and gardens and scheduled monuments) and a variety of architectural styles and historic associations,
  - (b) places linked to an industry or individual with particular local interest,
  - (c) areas where historically significant layouts are visible in the modern street pattern or built development,
  - (d) areas where a particular style of architecture or traditional building materials predominate,
  - (e) areas with special public realm, designed landscapes or open spaces.
9. A Conservation Area designation does not preclude future development from taking place, however, once designated as a 'heritage asset' the character and appearance of the Conservation Area becomes a material consideration in any planning application for new development. 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 (NPPF para 132). Where a development would lead to harm to the significance of a heritage asset this harm should be weighed against the public benefits of the proposal (NPPF para 133 & 134). If it is considered to be expedient the Council, as Local Planning Authority, can also tighten planning regulations in Conservation Areas restricting what alterations and extensions residential property owners can do.

## The Assessment of Low Coniscliffe's case for Conservation Area Status

### 10. History and Landmarks:

- (a) Low Coniscliffe does have some historical associations and the Parish Council have provided further information on the history of the village in Appendix 1. Antony Bek, Bishop of Durham, is said to have ordered a tower, known as Pele Tower, to be built in Low Coniscliffe in the 13th century. The precise site is unknown, although it is thought to be at the south west end of the village, close to the River Tees and the A1 (M) to the west, where there are several earthwork enclosures. In the 1960s an excavation found the probable remains of a circular dovecot of 15th or 16th century date. This is not scheduled.
- (b) There is an unknown site of a gallows, pre-1293 AD, south of the river, and west of Howden Hill Farm. The probable site of the gallows is also that of the medieval manor of Coniscliffe (1066 to 1540). The site of the Manor House is indicated on the oldest historic map circa 1856-1865 to the south west end of the present village. In addition to the Manor House there were a further 12 houses and outbuildings on the site with 480 acres of arable land and 20 acres of meadow. All evidence of the manor and medieval structures has been eradicated above ground level. A Medieval Barn detailed by the Parish Council was demolished in the 1960s.
- (c) The remains of a burial mound were recently been found on the field east of Gate Lane at the entrance to the village. The mound dates from between 2400 BC and 1500 BC. There are two concentric circular ditches, the widest being 45 metres in diameter and in the centre there was once a stone cairn containing the remains of a locally important person. Burial mounds were used as territorial markers. This has not been scheduled by Historic England to date.
- (d) The village is close to the Merrybent and Darlington Railway, built in 1870 as a branch line which left the Darlington and Barnard Castle Railway. It was closed in 1878 when the company went bankrupt, but the line and quarries were re-opened by North Eastern Railway in 1890. The railway was finally abandoned in 1938 and dismantled.
- (e) The village history is not linked to a theme of 'special' local interest or association with a prominent local person, architect or landowner.

### 11. Designated Heritage Assets:

- (a) At the south west end of the village, is No.55-57, dating from the 17th-century, it is listed Grade II (listing entry 1139006), it is a roughcast brick and rubble structure with a pantiled roof. This is now a pair of houses, but was originally a farmhouse with a cottage on the right. It has a rubble stone boundary wall which is curtilage listed. The other listed building in the village, is Well Bank House, (No. 20) also listed Grade II (listing entry 1121197) it is located at the south east corner of the village. Dating from the late 18th to early 19th century it is also constructed of roughcast rubble with a pantiled roof with flush quoins

and horizontal sliding sashes. The village does not therefore display varied areas or numbers of designated heritage asset. It has two listed buildings and no scheduled monuments.

## 12. Non-designated Heritage Assets:

- (a) The supporting information provided by the Parish Council sets out that the village does have a number of traditional vernacular cottages and dwellings built from locally sourced materials. 26 of the 92 properties in the village are identified as 'old,' many of these are constructed from random rubble river stone from the river with lime render from the High Coniscliffe lime kilns. The full survey carried out by the Parish Council of these traditional properties is included at Appendix 1. I concur with the report that a number of properties display a locally distinct vernacular and date from as early as the 17<sup>th</sup> century.
- (b) The agricultural origins of the village are also evident in the barns, sheds and outbuildings which are now incorporated into former farm houses and cottages originally built for farm workers. Examples of this are Durmast House (17 Low Coniscliffe), West Farm (19 Low Coniscliffe) a 17<sup>th</sup> century pig farm and blacksmiths, Britton House (27 Low Coniscliffe) a farm built in 1750 and the neighbouring Orchard House (29 Low Coniscliffe) with a former dairy to the rear. A 17<sup>th</sup> century barn is located on Gate Lane in its original form. No. 34-40 Low Coniscliffe formed part of the farming aspect of the demolished Manor House. These cottages were once part of the water corn-mill and were built in 1650. The river ran along the bottom of the garden but over the years the river has gradually changed course and is now some hundred yards away from the properties. The former village pub and Post Office at Teesdale House (18 Low Coniscliffe) is also identified including the physical features of this property which relate to its former use. The School House and The Old School House are attractive 19<sup>th</sup> century buildings constructed from brick with slate roofs. The Baydale Beck Inn is a landmark building close to the entrance to Gate Lane on the A67. An Inn has existed here for over 250 years. The original called Badle Beck Inn was also built of river cobblestones from the Tees. During 1770 it was the haunt of Catton's Gang of thieves and Dick Turpin.

## 13. Layout:

- (a) From a historic perspective, a gate post on the main route provided directions to the village which follows a historic loop, formed by Gate Lane and Back Lane, shown on the oldest historic map (1856-1865). The name Gate Lane comes from the turnpike gate that in 1762 stood on the A67 near the entrance to the village. In the early 1800's the village was a farming community with six farms, of which four were located within the compact area of the village, namely Coniscliffe Grange, Low Coniscliffe East, Low Coniscliffe West and the Homestead. A large area of the village was covered with orchards. In 1888 the Homestead farm was split into several lots and sold. The historic layout exists today with all properties constructed around a looped highway which is connected to the A67 by Gate Lane. This still provides the only access to the small village. The village also has a close relationship with the river - Wellbank Lane leading directly to the river is still a public footpath - with vehicular access

from the historic Wood Lane. Mature trees and landscaping exists along the riverbank. The village does therefore retain its historical layout which is clearly visible in the present day street pattern.

#### 14. Architectural Styles and Materials:

- (a) Although the village has historic associations its present day 'quality of place' lies in its riverside setting and wide range of dwellings ranging in style, age, materials and size. The dwellings in the village are a mix of traditional and modern. 26 of the properties being traditional with the remaining 66 properties constructed more recently. Some of the modern properties have been constructed from materials to blend in with the local characteristics. Generally the modern developments are of an appropriate scale and massing and no plots, or parts of the village detract from its overall quality of place.

#### 15. Boundaries:

- (a) The village are marked by mature hedgerows and rubble stone walls adjoined by open fields. The Parish Council correctly highlight that Low Coniscliffe has an abundance of characterful natural stone walling, primarily constructed from river stone, with many of the walls dating from the 17th century. These traditional stone walls are found in numerous places within the village, separating individual properties from their neighbour and providing a barrier to the highway. The walls act as a stone chain, linking the various boundaries of individual properties within the oval highway which forms the ring of development of the village (Appendix 1 p 30-32)

#### 16. Public Realm, Designed Landscapes, Open Spaces, Views & Vistas:

- (a) There are no obvious areas of public space in the village other than attractive grass bank verges adjoining stone boundary walls. The village does not feature any traditional surface treatments in its pavements. Low Coniscliffe itself is not dominated by traffic due to its secluded location and looped form. However due to the close proximity of the A1 and A67 traffic noise does intrude into the tranquillity of the north side of the village to some extent. The Parish Council have also provided evidence of the farming heritage and rural cottage tradition reflected in views and gateways around the village (Appendix 1 page 33 & 34). Whilst Low Coniscliffe does feature some attractive views and vistas into the village, along the river and into the countryside. These are not of special interest and the village does not feature any public realm, designed landscapes or open spaces. The village does have a 'gateway' from the A67 but it is not particularly prominent.
- (b) The Parish Council summarise their desire for Conservation Area status to preserve the character of the village and its surrounding area, including the green fields which separate it from neighbouring villages and the town. Also that its rural setting with proximity to the river and abundance of wildlife, nature trails and natural beauty should be protected for future generations.

## Summary of Officer Assessment

17. As set out above Conservation Area designation does not preclude future development from taking place either within, or in the setting of Conservation Areas. Also designation is not generally an appropriate means of protecting the wider landscape (HEAN1 para 12).
18. Darlington has 17 Conservation Areas. This is a significant amount for a relatively small Borough. It is important therefore that the Council only designate additional Conservation Areas if that area justifies such status because of its special architectural or historic interest. This is to ensure that the concept of conservation is not devalued in the Borough.
19. An informal phrase often used to describe what Conservation Areas are meant to protect is 'the familiar and cherished local scene' (as used in Historic England's Heritage Protection Guide, the primary public source on historic environment law, policy and guidance.) Previous national guidance encouraged comparative analysis by seeking 'consistent local standards' (Planning Policy Guidance 15, Planning and the Historic Environment, DoE/DNH, 1994). This phrase is not in current guidance, but the requirements to look for sufficient special interest and to not devalue the concept suggest some comparison is appropriate.
20. Low Coniscliffe does exhibit a quality of place but it does not have special architectural or historic interest when compared to local standards i.e. the 17 existing Conservation Areas but more specifically the 10 village Conservation Areas.
21. The closest comparison is High Coniscliffe Conservation Area designated in 1974. In comparison to this local standard Low Coniscliffe does not have the high number of nationally designated heritage assets, the variety of architectural styles nor strength of historic association to warrant its designation.
22. Low Coniscliffe and Merrybent Parish Council are working with the Planning Policy Team to produce a Neighbourhood Plan. This mechanism should be used to draw out the agricultural vernacular qualities displayed in some of the older properties identified, and the attractive stone wall boundary treatments, to ensure these local features guide future residential developments where appropriate.
23. Officers conclude that there is an insufficient case to designate Low Coniscliffe as a Conservation Area due to its relative lack of special architectural or historic interest.

## Legal Implications

24. The decision not to designate a Conservation Area has no legal implications. The designation of a Conservation Area is purely a decision of the Council as Local Planning Authority. There are no third party rights to appeal this decision to an external body set out in the legislation.