

DERRY CITY AND STRABANE DISTRICT COUNCIL

LOCAL DEVELOPMENT PLAN (LDP) 2032



EVIDENCE BASE EVB 10

HISTORIC ENVIRONMENT (Updated May 2017)

This Document is one in a series, which builds up to form the 'evidence base' that informs the preparation of the Local Development Plan (LDP).

It comprises initial Workshop Paper(s) on this Planning topic that were presented to Council Members during 2016 / 2017, which have been subject to Member discussion and input, before further discussion at the Planning Committee (LDP) and in turn feeding into the LDP Preferred Options Paper (POP) and then the Plan Strategy (PS) and eventually the Local Policies Plan (LPP) which together form the LDP.

Therefore, the afore-mentioned evidence base will be continually updated, to additionally include the latest information, input from public engagement, statutory consultees, stakeholder groups, Sustainability Appraisal and from other Departments within the Council, including Community Planning.

The Evidence Base is published as a 'supporting document' in accordance with Article 10(a) and 15(a) of the Planning (LDP) Regulations (NI) 2015



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Paper 1: Historic Environment – Legislation, Policy and Local Context

Purpose of Paper: The purpose of this report is to advise Members on the following: an overview of the legislation / policy and how the historic environment should be considered in the LDP; a summary of the historic environment / heritage features in the District; then to consider how these can affect our LDP designations, zonings, proposals and policies. Members' input is invited.

Content: The paper provides information on:-

- (i) The legislative hierarchy in place to protect our rich historic environment;
- (ii) The historic environment within our District; and
- (iii) The scope of the Local Development Plan (LDP) for the future management, protection and enhancement of our historic environment.

Conclusion: Councillors should note the contents of this paper in relation to our historic environment and provide input / feedback on how this aspect should contribute to our LDP.

1.0 Introduction to Paper

- 1.1 This Paper is one in a series, building up the ‘evidence base’ that will inform the preparation of the Local Development Plan (LDP). The LDP will have a new approach to protecting our environment and promoting appropriate development in line with the Community Plan, moving away from the reactive planning of the past, towards a more proactive approach.
- 1.2 The discussion and input from Council Members at Workshop 3 will then feed into a forthcoming ‘options’ Paper on these matters to the Planning Committee (LDP) - for decision, which will in turn feed into the LDP Preferred Options Paper (POP) which is due out in Spring 2017.
- 1.3 This Paper relates to our ‘historic environment’ i.e. our man-made surroundings and features, primarily involving our historic ‘historic heritage’ features of archaeology, monuments, listed buildings and areas of townscape. The historic environment also includes other more-modern buildings and areas within our settlements but this aspect is mainly considered in later Papers on Urban Design / Place-making and the Settlement Appraisals.
- 1.4 Therefore, this Paper mainly provides Members with an overview of the legislation and policy covering the historic environment, summarises our historic features and considers how they can influence and be integrated into the designations, zonings, proposals and policies of the new LDP for our District.
- 1.5 The purpose of the planning system is to secure the orderly and consistent development of land with the objective of furthering sustainable development and improving well-being. In pursuing economic and social priorities, Council as the planning authority should also simultaneously consider the careful management of our historic environment. The historic environment is a finite resource which requires effective stewardship so that it may be enjoyed today and passed on in good order to inform future generations.
- 1.6 In essence, the statutory framework seeks to ensure that when preparing its Local Development Plan (LDP), the Council will take full account of the implications of proposed land use zonings, locations for development and settlement limits on the historic environment within or adjoining the plan area. When determining planning applications, the Council will need to take account of the potential effects of development proposals on the historic environment, including cumulative effects.

2.0 Legislation

- 2.1 Relevant UK and NI legislation is contained within the **Planning Act (NI) 2011**. Part 4 Chapter 1 of the Planning Act refers to Listed Buildings and Conservation Areas. Part 8 refers to Further Provisions as to Historic Buildings.
- 2.2 Historic Monuments and Archaeological Objects (NI) Order 1995 (the 1995 Order)
- 2.3 The Planning (Listed Buildings) (Amendment) Regulations (Northern Ireland) 2016
- 2.4 Regional Planning Policy is set out in:
- 2.5 **Regional Development Strategy (RDS)**: The RDS sets out the spatial strategy of the Executive. Spatial Framework Guidance (SFG) 7 in the RDS relates to strengthening the role of Londonderry as the principal city for the North West while respecting its heritage assets, exceptional landscape setting and unique walled core through sensitive development.
- 2.6 **Planning Policy Statement 6 (PPS 6), Planning, Archaeology and the Built Heritage** (March 1999): Sets out the regional planning policies for the protection and conservation of archaeological remains and features of the built heritage. It embodies the Government's commitment to sustainable development and environmental stewardship.
- 2.7 **PPS6 (Addendum) - Areas of Townscape Character** (August 2005): The Addendum provides additional planning policies relating specifically to Areas of Townscape Character, for demolition of buildings, new development and the control of advertisements.
- 2.8 **Strategic Planning Policy Statement for Northern Ireland (SPPS)** (September 2015): States that LDPs should identify the main built and archaeological heritage features within the plan area, and bring forward appropriate policies or proposals for their protection and conservation and enhancement. The LDP should also take into account the implications of its other local policies and proposals on all features of the archaeological and built heritage and their settings.
- 2.9 **Derry Area Plan (DAP) 2011**: An objective of the plan promotes the sustainable development of the Derry City Council area by making provision for economic development while protecting its natural assets and man-made heritage for the enjoyment of future generations.

- 2.10 **Strabane Area Plan (SAP) 1986-2001:** Contains the relevant text for conservation and states that the conservation of the natural and man-made environments has been a major consideration in the formulation of the plan policies and proposals.
- 2.11 **Living Places** (August 2013): This Urban Stewardship and Design Guide aims to clearly establish the key principles behind good place making. It seeks to inform and inspire all those involved in the process of managing (stewardship) and making (design) urban places, with a view to raising standards across Northern Ireland. Living Places is a material consideration in determining planning applications.
- 2.12 **Conservation Area Design Guidance:** Each of the five Conservation Areas in the Council District has its own design guide which provides information on the planning context, character appraisal and historic development, as well as giving guidelines for future development proposals.

3.0 Our Historic Environment Features

- 3.1 The following historic environment features in the Derry City and Strabane District are summarised below and in the list at the Appendix 1. Maps showing the Conservation Areas and Historic Parks, Gardens and Demesnes can also be found at the Appendix 2, (maps showing other historic environment features will be on display at the Workshop).
- Archaeological Sites and Monuments (State Care, scheduled and other);
 - Areas of Archaeological Potential – areas within settlements where archaeological remains are likely to be encountered during development;
 - Historic Parks, Gardens and Demesnes – a register of parks, gardens and demesnes of special historic interest is held by the Historic Environment Division (HED) (DfC, formerly DoE NIEA);
 - Listed Buildings;
 - Conservation Areas (CAs) – Areas of special architectural or historic interest;
 - Areas of Townscape or Village Character – areas of unique identity within settlements (designated through the plan process);
 - Industrial Heritage Assets;
 - Shipwrecks;
 - Battle sites

- 3.2 The Derry City and Strabane District has a considerable wealth in its historic environment. The District has **862 archaeological sites and monuments**. These include the iconic Derry Walls - the largest monument in State Care in Northern Ireland. The monument means not only the city walls, but also the adjoining land and property and associated below-ground archaeology which forms its setting. Other notable scheduled monuments are the 14th Century Harry Avery's Castle (Newtownstewart) and the 15th Century Derg Castle (Castledearg). Other 'lower profile' sites include raths, burial chambers, lime kilns, etc which are spread throughout the District. Under the Historic Monuments and Archaeological Objects (NI) Order 1995 (the 1995 Order), the Department has a duty to compile and maintain a Schedule of Monuments. Monuments on the Schedule have statutory protection and inclusion is at the Department's discretion. Of the 857 sites and monuments on the current NI Sites and Monuments Record (NISMR) there are 128 Scheduled Monuments within this District, as well as 14 Monuments in State Care.
- 3.3 In all cases the desirability of preserving an archaeological site or monument and its setting, whether Scheduled or otherwise, is a material consideration in determining planning applications. Accordingly, in assessing the archaeological implications of a development proposal, the Council will consider whether it would damage or destroy the site or monument, result in inappropriate change to its setting or whether the existing quality and character of the site or monument would be retained. Within the DAP, an **Area of Archaeological Potential** for the Walled City and environs is identified. Within this area, site evaluation may be necessary to reach a planning decision and permission may be conditioned to minimise disturbance or to provide for archaeological recording which may include excavation.
- 3.4 There are **675 Listed Buildings** within the District. They are legislated for under Article 80 of The Planning (NI) Act 2011. Once a building is listed, Article 85 provides that consent is required for its demolition and any works, alteration or extension in any manner that would affect its character as a building of special architectural or historic interest.
- 3.5 In the past five years, a total of 14 buildings have been delisted within the District. The Built Heritage at Risk Northern Ireland Register (BHARNI) has been compiled in partnership with the Department for Communities, (DfC, formerly DoE). It highlights buildings and monuments of architectural and historic interest whose future seems threatened and may be suitable for restoration and repair. There are currently 56 properties on the Register from within our District.

- 3.6 There are **5 Conservation Areas** located within the Council area, namely Sion Mills designated 1977, Newtownstewart (1993), Historic City (1977, Reviewed / extended 2006), Clarendon Street (1978 Reviewed / extended 2006) and Magee (2006).
- 3.7 Conservation Areas are areas of special architectural or historic interest designated by the Department under Article 104 of The Planning (NI) Act 2011. Conservation Area designation introduces control over the demolition of unlisted property in the area and affords protection to trees as if a Tree Preservation Order was in place.
- 3.8 The prime consideration in assessing whether new development proposals are acceptable will be the desirability of preserving or enhancing the character and appearance of these areas. The Historic City and Clarendon Street Conservation Areas were reviewed in 2004 and both had their boundaries amended, whilst the Magee Conservation Area was designated in June 2006.
- 3.9 **Areas of Townscape Character (ATCs)** have been designated through the Development Plan process and have distinct character and intrinsic qualities, often based on the historic built form or layout. Proposed or designated ATCs introduce control over the demolition of an unlisted building. The potential exists for new ATC's to be brought forward during the preparation of the future LDP process.
- 3.10 In assessing planning applications within ATCs, the key consideration for the planning authority will be to ensure that development proposals respect the appearance and qualities of each townscape area and maintain or enhance their distinctive character. There are four ATC's identified in the Derry Area Plan 2011. These are Victoria Park, Bond's Hill, Eglinton and Culmore. This designation was not available at the time of the Strabane Area Plan in 1991.
- 3.11 The planned landscapes of the 17th Century onwards are protected under policy BH 6 of PPS6 and identified in Development plans. It is important that these valuable **Historic Parks, Gardens and Demesnes (HPG&D)** of our historic environment are protected from development which would harm their historic character – See Appendix 1 and 2 for details.
- 3.12 The Townscape Heritage Initiative (THI) is the Heritage Lottery Fund's grant giving programme for the repair and regeneration of the historic environment in towns and cities throughout the UK. Derry currently has a Townscape Heritage Initiative (THI), facilitated by the Walled City Partnership since 2002 in two Phases; there is potential for a third Phase application but the areas have not yet been decided.

- 3.13 Derry City and Strabane District Council has initiated an Empty / Dilapidated Buildings Working Group to work with the relevant agencies to ensure such buildings are identified and all appropriate Departmental legislation / Council powers are used to bring such properties back into a state of use and ensure they no longer pose a risk to a health and safety or detrimental to the character of a neighbourhood. Council is currently investigating possible initiatives to proactively bring vacant and derelict sites into civic use. The Council is also promoting the RESTORE initiative to provide funding in Derry for refurbishment of buildings, whilst Public Realm, Urban Villages and other projects also seek to improve the appearance of buildings and areas.
- 3.14 As part of the Community Plan and LDP preparation process, it is intended to commission a number of studies that specifically consider the historic environment / physical regeneration of the main urban settlements in the District. This will provide the opportunity for the more in-depth analysis and identification of solutions for their mainstream townscape / place-making as well as maximizing the potential of their historic environment.

4.0 Implications of Historic Environment for our LDP

- 4.1 In line with the Community Plan, the LDP allows a consideration of how we want our future historic environment, both urban and rural, to look, as we seek to positively promote good standards of design and the protection of our historic environment.
- 4.2 It is necessary to consider how our historic environment features can affect our LDP designations, zonings, proposals and policies. Members' input is invited.
- 4.3 In preparing the LDP, the Council should take into account the implications of local policies and proposals on all features of the archaeological and historic environment and their settings, and the implications of proposed land use zonings, locations for development and settlement limits on historic environment features within or adjoining the plan area. The LDP should identify the range of built and archaeological heritage features within the Plan area and bring forward policies or proposals for their protection and conservation and enhancement. These include the following:
- Archaeological Sites and Monuments (State Care, scheduled and other)
 - Areas of Archaeological Potential – areas within settlements where archaeological remains are likely to be encountered during development

- Historic Parks, Gardens and Demesnes – a register of parks, gardens and demesnes of special historic interest is held by HED
- Conservation Areas (CAs) – Areas of special architectural or historic interest
- Areas of Townscape or Village Character – areas of unique identity within settlements (designated through the plan process)
- Local Landscape Policy Areas (LLPAs) – features or areas within and adjoining settlements considered to be of greatest amenity value, usually of landscape quality or local significance but can also include historic environment features (designated through the plan process)
- Listed Buildings – buildings designated as being of ‘special architectural or historic interest’ (HED responsibility)
- Possibly including Community Listed Buildings (local listing) – a new proposal (to be finalised), for buildings which may be important to local communities but due to insufficient architectural or historic interest do not warrant statutory protection as listed buildings (Council responsibility)

4.4 Where appropriate, the LDP will show for information the statutory designations as provided by HED. These will be included on relevant maps and referred to in Key Site Requirements, development limits, zonings, designations, etc.

4.5 If there are concentrations of historic environment features, or particularly sensitive sites / areas, Council can consider whether to apply a designation and also appropriate policies to manage development proposals in an area.

4.6 Members may also want to consider:

- Do you consider that the current statutory protection is adequate?
- Do you consider that the current planning policies are generally adequate?
- Do you consider heritage designation as positive or negative?
- Are there are other areas that could be considered for Conservation Area or for Area of Townscape Character (ATC/AVC) designation?
- Do we need to be more proactive in terms of Enforcement within our designated areas e.g. signage in the Conservation Areas?

5.0 Conclusions and Feedback

5.1 It is recommended that members note the contents of this paper and we now seek Members’ feedback.

5.2 The research findings contained in this paper together with Members views and advice from the relevant parties/consultees have informed the following options which have been taken forward and subjected to Sustainability Appraisal (SA)

(Incorporating Strategic Environment Assessment (SEA)) as part of the POP process.

- 5.3 In considering the options, **Option 1** the ongoing protection of existing designated historic assets in line with SPPS, in addition to the previous option, **Options 2** proposes to designate new areas of historic environment importance, and preclude all development likely to adversely impact on such sites or their settings. **Option 3** proposes to protect only existing areas and buildings of designation and, where possible, allow for appropriate development.

	Option 1	Option 2	Option 3
D - Built Environment / Heritage	Existing designated areas / buildings of historic environment importance will continue to be protected and development facilitated with policies in line with the SPPS	In addition to Option1, designate new areas / buildings of historic environment importance as part of LDP preparation and preclude all development likely to adversely impact on such sites / buildings or their setting	Protect only those designated areas / buildings and accommodate appropriate development where possible

- 5.4 In the absence of firm proposals from the relevant authorities, further feedback will be required to enable the LDP to be fully informed of future proposals which can subsequently be subjected to the SA/SEA.

Appendix 1: Historic Environment Assets within the Derry City and Strabane District

Monuments

- 862 on the Sites and Monuments Register
- 128 Scheduled Monuments
- 14 State Care Monuments
- 21 Areas of Archaeological Potential
- 964 Industrial Heritage Assets
- 70 Defence Heritage Assets
- 62 Shipwrecks
- 33 Battlesites

Listed Buildings:

- 675 Listed Buildings

Conservation Areas:

There are 5 Conservation Areas within the District, namely:

- The Historic City Conservation Area;
- The Clarendon Street Conservation Area;
- The Magee Conservation Area;
- Sion Mills Conservation Area;
- Newtown Stewart Conservation Area.

Areas of Townscape Character:

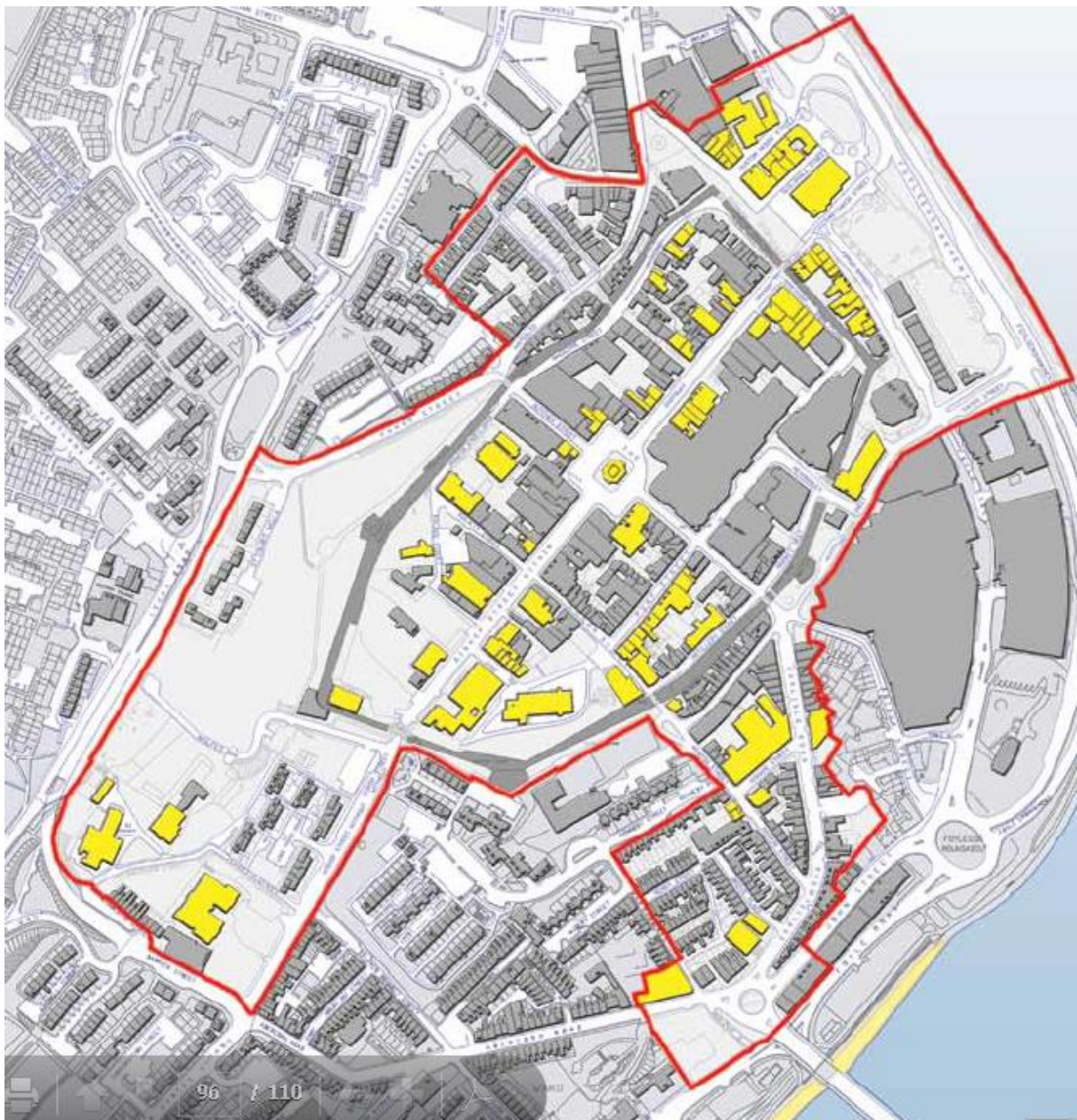
- Victoria Park;
- Bonds Hill;
- Eglinton;
- Culmore

Historic Parks, Gardens and Demesnes

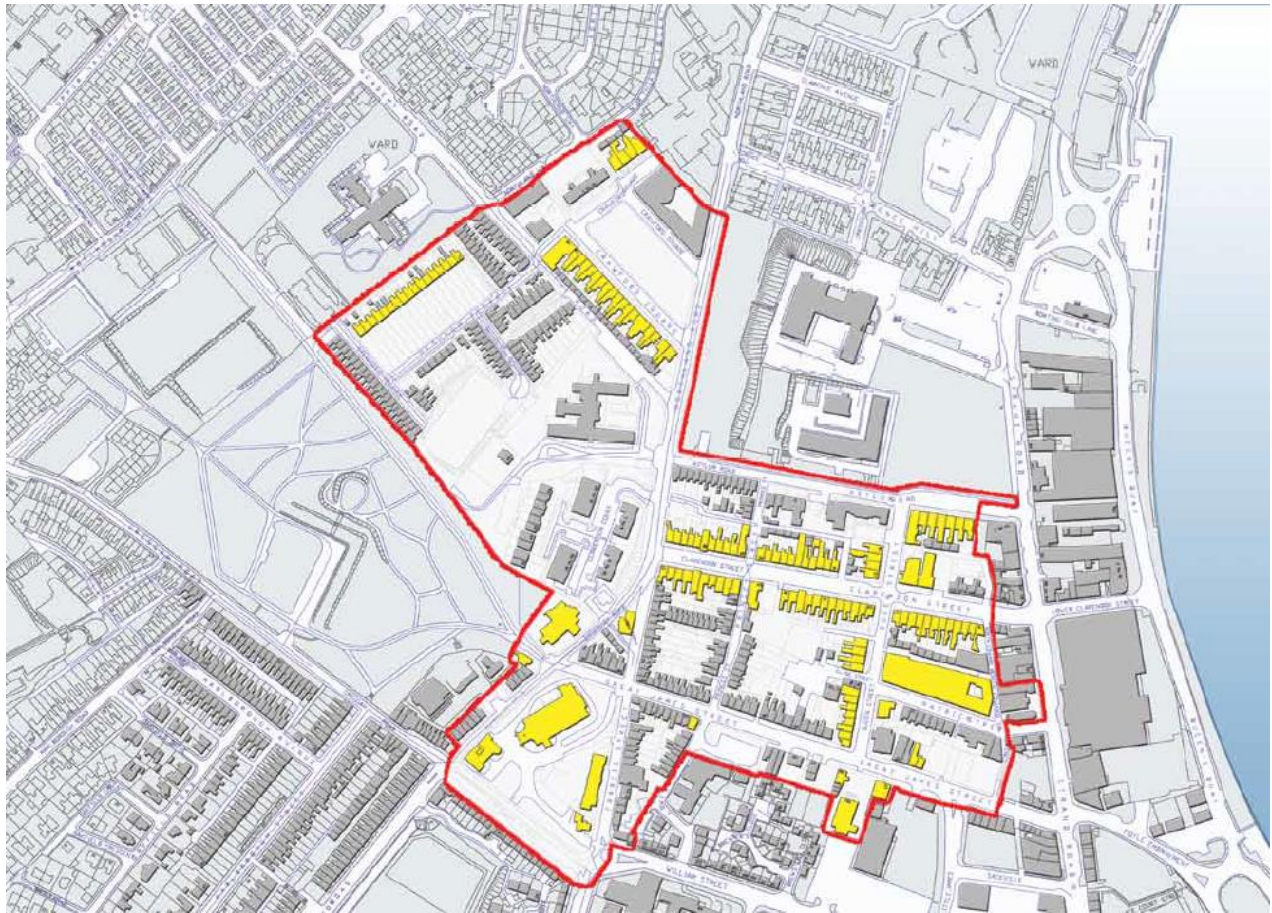
- 9 Historic Parks, Gardens and Demesnes (Registered)
- 13 Historic Parks, Gardens and Demesnes (Supplementary List)

Appendix 2

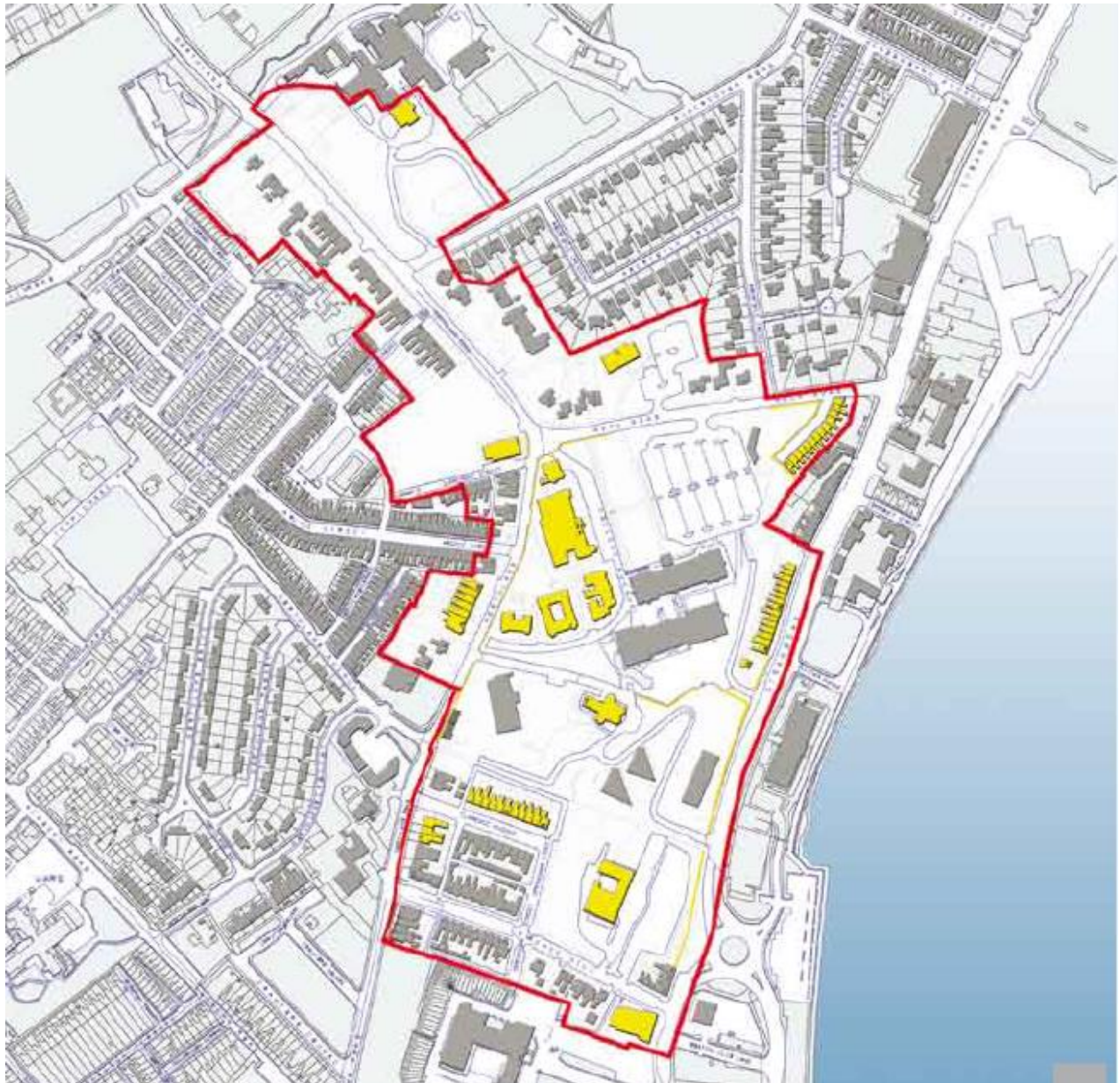
Conservation Area Maps within the Derry City and Strabane District Council Area



Map 1: Historic City Conservation Area

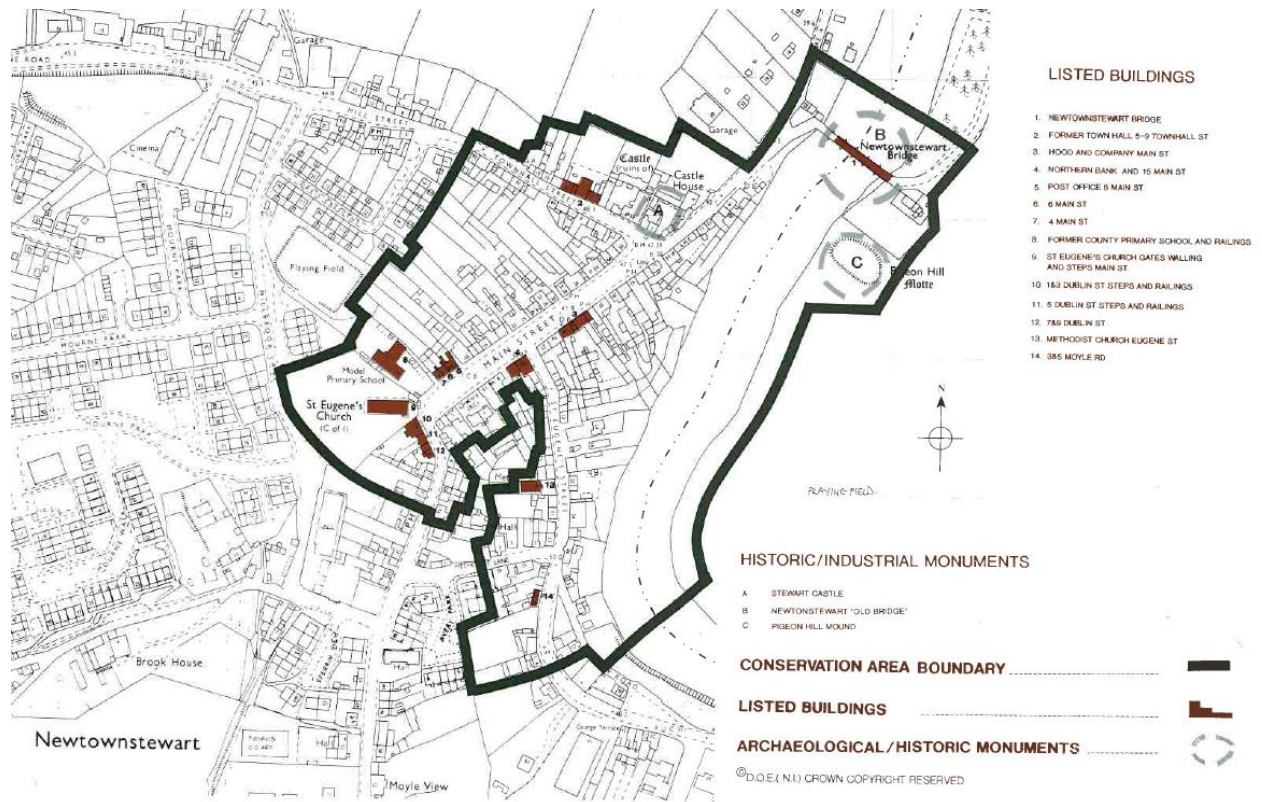


Map 2: Clarendon Street Conservation Area

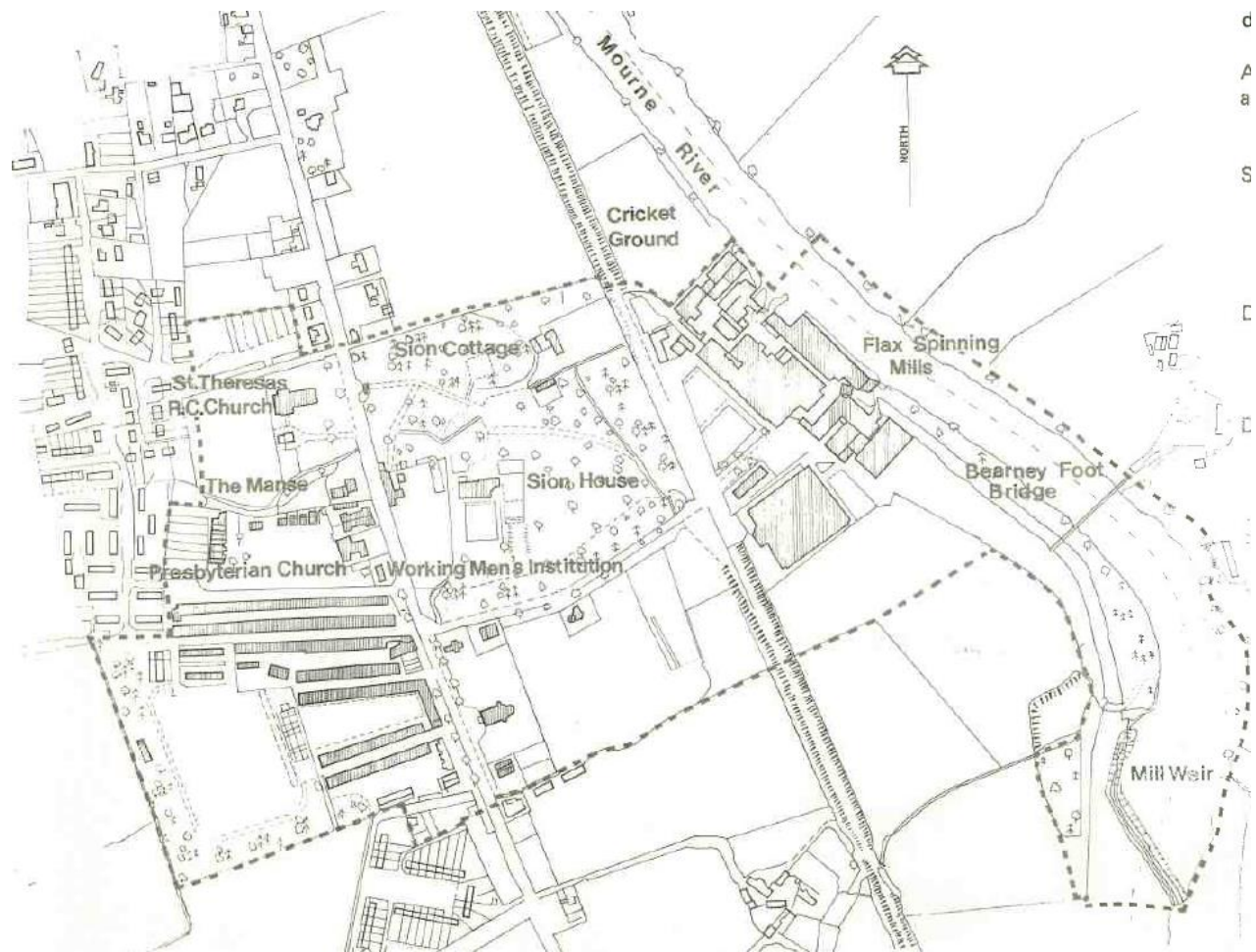


Map 3: Magee Conservation Area

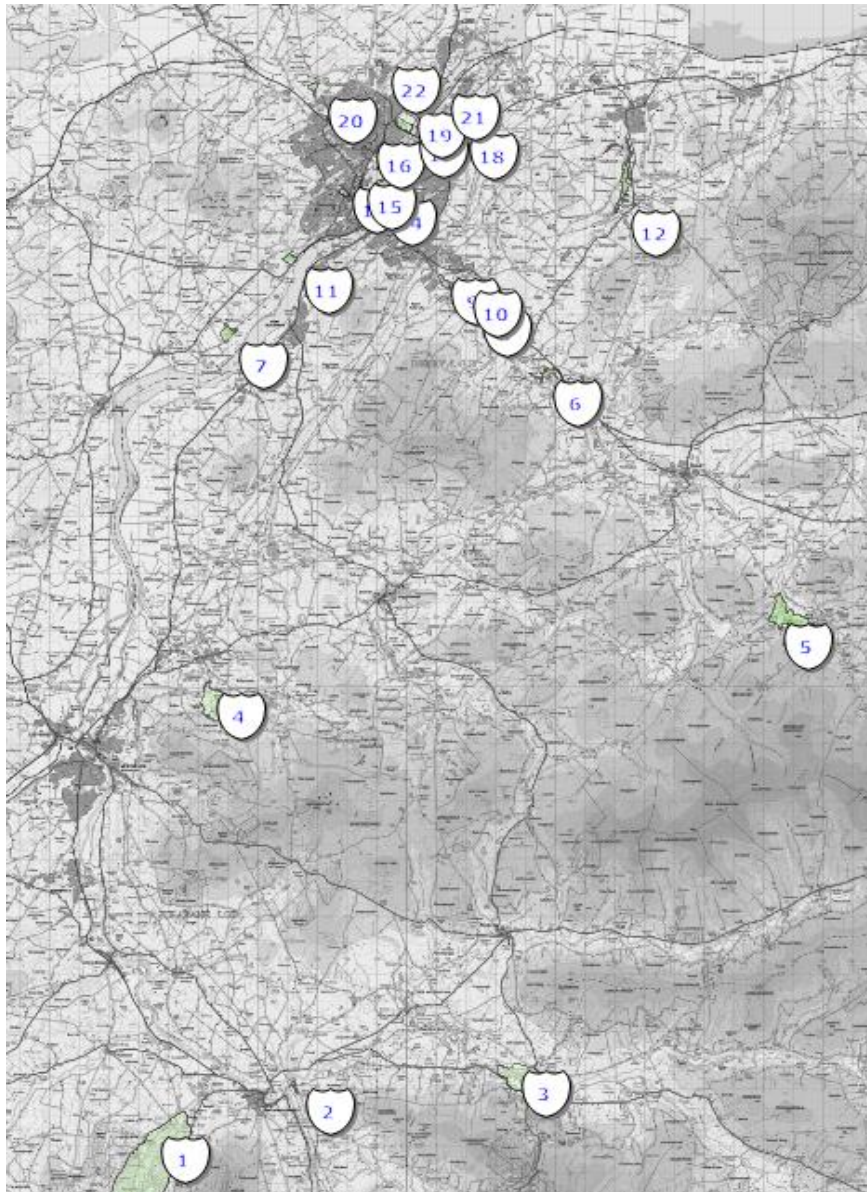
Derry City and Strabane District Council LDP Workshop 3 – Paper 1: Historic Environment



Map 4: Newtonstewart Conservation Area



Map 5: Sion Mills Conservation Area



- 1. BARONS COURT
- 2. MOYLE HOUSE
- 3. BELTRIM CASTLE (Omagh)
- 4. HOLY HILL
- 5. LEARMOUNT
- 6. THE OAKS
- 7. MOLENAN HOUSE
- 8. ARDMORE
- 9. ASHBROOK
- 10. BEECH HILL
- 11. GOVERNMENT HOUSE
- 12. TEMPLEMOYLE HOUSE
- 13. BROOK PARK
- 14. ST COLUMBS
- 15. ABERFOYLE
- 16. BELMONT HOUSE
- 17. BOOM HALL
- 18. ENAGH HOUSE
- 19. BROOK HALL
- 20. GLENGALLIAGH HALL
- 21. THORNHILL
- 22. BALLYARNET

Map 6: Historic Parks and Gardens