

Technical Advice Note: Understanding Heritage Assets

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Introduction

This technical advice note has been prepared to assist applicants in understanding how the council considers heritage assets when assessing planning applications and planning enforcement investigations. This note has been prepared to support the policies contained in the South Gloucestershire Local Plan: Policies, Sites and Places Plan. This plan, when adopted, will sit alongside the South Gloucestershire Local Plan Core Strategy (Adopted) December 2013 as the council's up-to-date Local Plan. The combination of these documents may also be referred to as the 'Development Plan' for the District.

In accordance with planning law, applications for planning permission should be determined against the policies of the Development Plan, unless material considerations indicate otherwise. The key policy within the Development Plan for assessing Heritage Assets is policy CS9 – Managing the Environment and Heritage. This policy requires all development within the District to 'ensure that heritage assets are conserved, respected and enhanced in a manner appropriate to their significance'. When adopted, policies PSP1 - Local Distinctiveness and PSP17 - Heritage Assets and the Historic Environment will become part of the Development Plan and can be given full weight when assessing heritage assets. These policies respond to the requirement set by the National Planning Policy Framework to protect and enhance the historic environment as an important component to achieve sustainable development.

This technical advice note has been prepared to provide applicants with some interpretation on how the above policies are applied and what is likely to have unacceptable impacts on heritage assets. As a technical advice note, this document does not form part of the Development Plan and does not have the status of a Supplementary Planning Document (SPD). However, given its technical content, this note may be a material consideration in determining planning applications and enforcement investigations. This note has been designed to provide guidance only. The guidance within it will be given appropriate and relevant weight as part of the overall planning balance on a case-by-case basis.

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What is a heritage asset?

The National Planning Policy Framework (NPPF) defines heritage asset as "a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest". Heritage assets include designated heritage assets (scheduled monuments, listed buildings, registered parks and gardens, conservation areas and registered battlefields) and non-designated heritage assets identified by the local planning authority (locally listed buildings; locally registered parks and gardens; archaeological sites and buildings identified in the South Gloucestershire Historic Environment Record).

The NPPF defines significance as "the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting."

Historic Environment Record

The council maintains a Historic Environment Record (HER), a detailed and dynamic database of archaeological sites, buildings, landscapes, battlefields, parks and gardens, conservation areas, historic settlements, finds and other features of the historic environment. It is an essential source of information for understanding and managing the historic environment. It is used to inform decisions on the historic environment and to determine the potential for heritage assets of archaeological and other heritage interest. Applicants for planning permission or listed building consent will be expected to consult the HER to find out whether their development proposal is

located on or adjacent to any known site or landscape of archaeological interest or high archaeological potential.

The HER is a dynamic database which changes as new information is presented. Whilst it cannot be considered to be definitive, it is the most up to date and accessible source of information for the historic environment.

For enquiries or searches related to the HER please contact Archaeology Services at archaeology.services@southglos.gov.uk . Charges may apply.

Designated heritage assets

Scheduled monuments

A schedule has been kept since 1882 of monuments considered to be of national importance by the government. The current legislation, the Ancient Monuments and Archaeological Areas Act 1979, supports a formal system of Scheduled Monument Consent for any work to a designated monument.

Scheduling is the only legal protection specifically for archaeological sites.

Scheduled monuments are not always ancient, or visible above ground. There are over 200 'classes' of monuments on the schedule, and they range from prehistoric standing stones and burial mounds, through to the many types of medieval site - castles, monasteries, abandoned farmsteads and villages - to the more recent results of human activity, such as collieries.

Scheduling is applied only to sites of national importance, and even then only if it is the best means of protection. Only deliberately created structures, features and remains can be scheduled. The national schedule now has 19,806 entries (about 31,400 sites). There are 1 million or so archaeological sites or find spots of all types currently recorded in England. Scheduling is reserved for carefully selected sites, which create a representative sample of sites from different epochs.

In South Gloucestershire there are currently 38 scheduled monuments. These sites range from prominent hillforts such as Sodbury Camp (a large multivallate hillfort) to bridges and churchyard crosses. No works to a scheduled monument can occur without express permission from Historic England. This relates to both above and below ground works. The procedure is known as Scheduled Monument Consent or SMC. 'Works' are defined by the 1979 Act as demolishing, destroying, damaging, removing, repairing, altering, adding to, flooding or tipping material onto the monument. To avoid the possibility of damaging a monument, and therefore carrying out unlawful works, you are strongly advised to consult Historic England while in the early planning stages of any intended works.

Certain development works to your property may require planning permission from the council, but obtaining such permission does not remove the need for Scheduled Monument Consent. The South West Office of Historic England can be contacted at:

*Historic England
29 Queen Square
Bristol BS1 4ND*

Telephone: 0117 975 1308

Fax: 0117 975 0701

Email: southwest@HistoricEngland.org.uk

Listed buildings

A listed building is one which is recognised by the Government as having special architectural or historic interest that merits statutory protection, and which has been included in a list compiled or approved by the Secretary of State. A listed building includes 'any object or structure fixed to the building' and 'any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1st July 1948'. There are currently over 2100 listed buildings in South Gloucestershire.

There are three grades of listing:

***Grade I - these are of 'exceptional interest, that may be regarded as internationally important.'* (3% of listed buildings in South Gloucestershire)**

Grade II* - these are 'particularly important buildings of more than special interest' (5% of listed buildings in South Gloucestershire)

Grade II - these are of 'special interest' (92% of listed buildings in South Gloucestershire)

All grades of listed buildings are equally protected, and the extent of the listing is the same. The listed building legislation protects the entire property inside and out, including all additions and extensions regardless of age or design.

If you wish to alter, extend or demolish a listed building, or undertake repairs which might alter the character of the building, such as repointing, or which involve the loss of historic fabric, you will need to obtain Listed Building Consent from the council. Applications for Listed Building Consent are made in the same way as applications for planning permission.

Application forms can be downloaded from the council's website or you can apply online via the planning portal (www.planningportal.gov.uk).

It is a criminal offence to carry out work to a listed building without having first obtained Listed Building Consent.

In considering whether to grant Listed Building Consent or Planning Permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses in accordance with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In assessing development proposals which affect listed buildings, the council will expect new work to respect the character of the building particularly in terms of scale, materials, design and detailing. Historic floor plans and architectural features which are important to the character of the building including internal walls, floor levels, staircases, panelling and roof structures, should be retained. The impact of new development on the settings of listed buildings will also be a material consideration when assessing proposals.

Repairs should use appropriate natural materials and retain as much of the original fabric as possible. It is especially important to retain materials that define the character of a particular building e.g. natural stone slates or lime renders. The historic form and structural integrity of the building and its setting should be retained e.g. extensions will not normally be appropriate in schemes for the conversion of traditional buildings. In some cases a programme of archaeological works will be required. This might include an assessment of the building in order to allow the significance of particular features to be understood as part of the consideration of the development proposals.

Should a listed building fall into a state of disrepair or suffer as a result of neglect or vandalism it may be put on the council's 'Register of Buildings at Risk'. The council will monitor any listed building on the Register of Buildings at Risk, and will encourage owners to undertake repairs or urgent works of temporary protection, with the aim of protecting the building while also seeking a long term use. Historic England also compile and maintain a national Heritage at Risk Register which includes grade I and grade II* listed buildings which are known to be at risk through neglect and decay.

For further detailed information and advice, please see the council's Guidance Note for Owners of Listed Buildings (December 2009). Copies can be downloaded from the following link: <http://www.southglos.gov.uk/Documents/Leaflets/PTE090336.pdf>

Conservation Areas

Conservation areas are areas that have been designated by the council for their special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance. There are presently 30 conservation areas within South Gloucestershire.

The purpose of a conservation area is not to prevent any development but rather to enable its careful management.

Various factors contribute to the special character of a conservation area. These include:

- The quality of buildings, the historic layout of roads and historic settlement patterns
- Paths and boundaries
- Boundary treatments and patterns of enclosure
- Characteristic building and paving materials
- Uses and associations
- The quality of the public realm and contribution made by trees and green spaces

A strong 'sense of place' is often associated with conservation areas. It is the function of Conservation Area Appraisals to assess and evaluate 'character' as a means of assisting the planning process.

The council will continue to keep existing conservation areas and their boundaries under review and will designate further areas where these can be justified in accordance with Historic England guidance. Additional information concerning each conservation area is contained in advice notes and appraisals produced or adopted by South Gloucestershire council. These can be downloaded free of charge from the council's website www.southglos.gov.uk/conservationareas.

The appraisals and advice notes provide an appraisal of the character of individual conservation areas. They set out the main features contributing to an area's distinctive character and appearance along with a suggested strategy for their preservation and enhancement. When adopted as Supplementary Planning Documents, they will supplement the policies of the South Gloucestershire Development Plan and will be used when assessing the merits of development proposals.

Their purpose is to seek to ensure the local character is strengthened rather than diminished by change and to secure the proper preservation, and where necessary reinstatement, of those features which contribute to the character of the area.

In considering whether to grant planning permission with respect to any buildings or land in a conservation area, the local planning authority has a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Special attention will be paid to architectural distinctiveness, historic structures, street furniture, planting, urban grain, density, views or vistas, boundaries, trees, building lines, open spaces etc.

Change in conservation areas can, however, be negative, either through inappropriate new development, neglect or deliberate damage. Negative change can have a very real effect upon the way the community thrives or feels about their area. When conservation areas become at risk, this can signify or contribute to an area's

social or economic decline. In these instances, conservation areas may be included in the Heritage at Risk Register compiled by Historic England.

Within designated conservation areas there are additional controls on development. These are explained below:

Works to trees in conservation areas

Trees can make a significant contribution to the character and fabric of conservation areas. Anyone wishing to top, lop, fell, uproot or cut down a tree within a conservation area must give the council six weeks advance notice of the intention to do so. Where appropriate the council will make Tree Preservation Orders (TPOs) to protect trees in conservation areas and will take into account their visual, historic and amenity contribution in deciding whether they are worthy of protection. Where appropriate the council may require planting of new trees to replace any lost in development.

Permitted development in conservation areas

The cumulative effect of small-scale alterations can lead to the erosion of local character. Care over details is therefore important. Within conservation areas, permitted development rights under the Town and Country Planning (General Permitted Development) Order 2015 are more restrictive than elsewhere. However, in order to protect the character of a conservation area the council may also restrict permitted development for particular classes of development through the imposition of an Article 4 Direction.

Article 4 directions are made when the character of an area of acknowledged importance would be threatened. They are most common in conservation areas. Article 4 Directions remove permitted development rights in some situations. This means that a planning application for work which normally does not need one will need to be submitted to the local planning authority.

New development in conservation areas

Conservation area designation does not necessarily preclude development, but new buildings or additions to existing buildings must be of a high standard of design and respect the distinctive character and appearance of the area. The character of the conservation area in general derives from a combination of factors relating to buildings and their enclosure and settings, street and plot patterns, walls, building materials, paving, open spaces and natural features. Proposals for development in conservation areas will be assessed against the character of the conservation area. Conservation area status is not intended to stifle high quality innovations in architectural design where it may positively contribute to, or enhance the character of, an area.

It is neither possible nor desirable to state a precise brief for any new building and the success of new work will be largely determined by the applicant's understanding of local character and distinctiveness. It will be advisable to consider carefully the traditions and character of the locality, taking into account: scale, massing and the relationship between buildings, together with the building materials and how they have been used. Outline planning applications will not normally be considered

appropriate in conservation areas and developers should submit applications for planning permission in full.

In assessing applications for planning permission the council will seek to achieve appropriate enhancements through the removal of features that detract from the quality of conservation areas such as inappropriate and unattractive buildings, structures, signs, shop fronts, overhead lighting, advertisements, overhead wires, street furniture or surface materials. The removal of inappropriate, non-native planting or the restoration of lost planting schemes may also provide enhancements. The replacement of poorly designed windows, non-traditional roofing materials or boundary treatments also offer scope for enhancement.

The council, as Local Highway Authority, and others responsible for surfacing and repair of the highway and the provision of signs and other street furniture should use materials and designs that minimise the impact on the character or appearance of the conservation area and undertake to maintain such work to a high standard. Street markings and signage should be of an appropriate design and avoid unnecessary duplication. If new entrances on to the highway require a visibility splay, which would result in the loss of walls or hedges that contribute to the character of the conservation area, then the development will be resisted.

Demolition in conservation areas

The approval of demolition of any building of individual merit or group value in a conservation area will be exceptional. It will not be permitted unless the council is satisfied that clear and convincing evidence has been submitted to show that all reasonable efforts have been made to sustain existing uses or find viable new uses.

The National Planning Practice Guidance document section: "Conserving and Enhancing the Historic Environment" sets out that if the building to be demolished is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area. In these cases, local authorities are advised to refuse consent unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial benefits that outweigh that harm or loss, or the development meets all of the tests set out in paragraph 133 of the National Planning Policy Framework.

Historic parks and gardens and battlefields

Historic parks and gardens can be either nationally designated and included on the Historic England Register of Parks and Gardens, or of local importance and identified in the "Gazetteer of Historic Parks and Gardens in Avon". Designated Historic Parks and Gardens which are deemed to be at risk may also appear on the National Heritage at Risk register maintained by Historic England.

Historic parks and gardens are important illustrations of local history or of the history of gardening or horticulture. They may have an association with a particular person or event or form the setting for a building of historic interest. Many historic parks and gardens contain collections of mature and/or exotic trees and shrubs which illustrate the history of exotic species incorporation over the last two centuries. They may also

be of archaeological, architectural, nature conservation, visual, amenity, educational, tourism or recreational value. Similarly, registered battlefield sites provide valuable historic information regarding the particular landscape and its military significance.

Historic England has compiled a “Register of Parks and Gardens of Special Historic Interest in England” and a “Register of Historic Battlefields” with the intention that public knowledge of their existence will help protect them from development pressures. No additional statutory controls provide for the protection of historic parks and gardens or registered battlefields but the effect of a proposed development on these areas is a material consideration in determining planning applications. Registered parks and gardens and battlefields included on the Historic England register are to be considered as designated heritage assets.

Within South Gloucestershire there are eight parks and gardens currently entered on Historic England’s register and one battlefield site at Lansdown.

The Council will seek to ensure the conservation, restoration and long term management of such sites. The council is required to consult the Gardens Trust on planning applications which are likely to affect any park or garden on the Register of Parks and Gardens of Special Historic Interest and to consult Historic England on applications affecting Grade I and II* sites. The council will also consult the Avon Gardens Trust on planning applications likely to affect a park or garden entered in the South Gloucestershire register.

Development proposals will be expected to maintain the historic character and appearance of historic parks and gardens or registered battlefields and their settings and, where possible, better reveal historic landscape features or planting schemes.

Unsympathetic development which is likely to threaten the historic value of historic parks and gardens or battlefields will not be permitted. However, appropriate development can provide a means for the restoration and maintenance of these areas. Where development within or affecting the setting of an historic park, garden or battlefield is appropriate, the council will expect development proposals to respect the sensitive nature of these sites and will seek the implementation of measures and/or management plans for their enhancement. Outline planning applications will not normally be considered appropriate in these circumstances and developers should submit applications for planning permission in full. Where the park or garden formed an “historic entity” of house, park and landscape, these will be considered as a whole in the event of a proposed development for all or part of the site.

Non designated heritage assets

Archaeology

Archaeological remains can be both above and below ground and can include buildings, landscapes, sites and wrecks as well as other types of heritage asset. Not all archaeological remains are known and new discoveries are constantly being made. Furthermore, not all nationally important archaeological remains are

scheduled and there are many nationally, regionally and locally important sites within the District. Where development affects such sites the extent to which they should be preserved will depend on a range of factors including the intrinsic importance of the remains. The council recognises the important educational and amenity value of many of these sites and will encourage measures to promote them, provided the essential attributes of such features are not threatened by such activities. Information on known archaeological sites in South Gloucestershire can be found by consulting the Historic Environment Record.

Locally Listed Buildings

Throughout South Gloucestershire there are many buildings and structures which are of historical or architectural interest and which make a significant contribution to the character and appearance of the area, but which do not meet the criteria for national listing.

The council recognises the valuable contribution that these buildings make to the local scene, and has followed Government guidance by creating a list of locally important buildings and including policies in its Local Plan to protect them. In addition, the council has adopted a Local List Supplementary Planning Document (SPD) which explains the background to the Local List, provides guidance to owners and occupiers of locally listed buildings, and the criteria for including buildings. There are currently around 1500 buildings and structures included in the Local List.

Locally listed buildings are recognised as particularly important because of the value that they present to communities, and the contribution they provide to a positive sense of place. Locally listed buildings are non-designated heritage assets, and planning decisions relating to them will need to have regard to the policies set out in the NPPF which promotes their conservation and enhancement and the adopted Local List SPD.

Development should seek to retain locally listed buildings and maintain their heritage significance, and in doing so this will help anchor new development to a place. The sensitive adaption or change of use will often be possible in facilitating the integration of locally listed buildings into new development. Further details including the SPD can be obtained via: <http://www.southglos.gov.uk/environment-and-planning/conservation/listed-buildings-register/locally-listed-buildings/>

Locally Registered Parks and Gardens

In addition to the nationally designated historic parks and gardens, there are 61 other parks or gardens of local importance to South Gloucestershire currently identified in the "Gazetteer of Historic Parks and Gardens in Avon". These make a valuable contribution to the heritage, environment and local distinctiveness of the District. They are all entered on the Historic Environment Record and as such are subject to procedures outlined for the treatment of archaeological sites. Of the 69 gardens of national and local importance, 30 contain trees which are protected by TPOs, 21 are

in conservation areas, 54 contain Listed Buildings and 1 contains a Scheduled Monument.

The effect of local designation, as with registered sites, is that the historic importance will be a material consideration in determining planning applications which affect them. The weight given to the conservation of the historic site will depend on the intrinsic historic importance of the park or garden and the particular development proposal.

A summary of the entries in the Gazetteer, including the nationally and locally registered sites can be obtained via:

<https://www.southglos.gov.uk/documents/pte070634.pdf>

Lower Severn Vale Levels

The Lower Severn Vale Levels are a landscape of national archaeological importance defined by the exceptional preservation offered by the below ground conditions and the survival of information relating to past environment, climate change and sea level change in the Severn Estuary. As such any applications within these Levels should normally be accompanied by a detailed archaeological assessment of the site, ordinarily comprising a desk-based assessment and the results of field evaluation provided the essential attributes of such features are not threatened by such activities.

Further information on the Lower Severn Vale Levels can be obtained from

<http://www.aforgottenlandscape.org.uk/>.

Where can I find out more about heritage assets and significance?

Websites

Gloucestershire Archives	www.gloucestershire.gov.uk/archives
Bristol Record Office	www.bristolmuseums.org.uk/bristol-record-office
National Archives	www.nationalarchives.gov.uk
The Historic England Archive	http://archive.historicengland.org.uk/
Conservation Area Appraisals	www.southglos.gov.uk/conservationareas
Historic England guidance	www.historicengland.org.uk/advice
Institute of Field Archaeology	www.archaeologists.net
The Society for the Protection of Ancient Buildings	www.spab.org.uk
The Victorian Society	www.victoriansociety.org.uk
The Georgian Group	www.georgiangroup.org.uk

The 20th Century Society

www.c20society.org.uk

The Gardens Trust

<http://www.thegardenstrust.org/index.html>

National Heritage List for England

<https://www.historicengland.org.uk/listing/the-list>

South Gloucestershire Technical Advice Notes and Design Guidance

Heritage Statements

Listed Buildings

Lime Render

Shopfronts and Advertisements

Written Schemes of Investigation

Pointing of Historic Buildings

Window Repairs

Further Information

If you require further information, or a site specific discussion, please email natural&builtenvironmentteam@southglos.gov.uk or call the customer contact centre on 01454 868004. We will aim to give you basic advice, but where more detailed advice is needed you are advised to submit a request for pre-application advice to the council. Details of how to submit a request and the scale of fees are available on the council's website www.southglos.gov.uk or by calling the Customer Contact Centre on 01454 868004.