

LOCALLY LISTED HERITAGE ASSETS

Supplementary Planning Document

Consultation Draft
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01

INTRODUCTION

There are a large number of buildings, structures, monuments and other features in Bath and North East Somerset which, while not statutory listed, are of architectural and historic interest or make a significant contribution to the character and appearance of an area.

Bath and North East Somerset Council holds a record of these assets, on a local list, on the Historic Environment Record for the area (a database of a wide range of historic environment information for the area).

The objectives of this Supplementary Planning Document (SPD) are to raise the profile of and give recognition to buildings and structures and their settings that contribute to the special character of Bath and North East Somerset; to provide information and guidance on how these assets are identified; to encourage their conservation and repair and to provide development management guidance where they are the subject of planning applications.



Many attractive historic buildings in the area are not statutory listed.



3 Introduction

Right Cherished local street scene at the Batch, Saltford

Below Historic vernacular along London Road West, Batheaston

Early C19 County Stand at Bath Race Course.



02

DEFINITION OF A LOCAL HERITAGE ASSET

Buildings and structures with architectural or historic interest, including those of local importance, are a finite cultural resource which, once lost, cannot be replaced.

The identification and conservation of local heritage assets and their settings (where appropriate) can boost pride in the local area and help preserve and enhance the environment for the benefit of future generations.

Many traditional buildings and structures which survive in our towns and villages are robust, adaptable and, with regular maintenance, could continue to be in use almost indefinitely. These are known as non-designated local heritage assets and can include buildings, monuments, sites, places, areas or landscapes identified as having a degree of interest and value that merit consideration in planning decisions but which are not formally protected.

Local heritage assets are ‘buildings, monuments, sites, places, areas or landscapes identified by local planning authorities as having a degree of significance meriting consideration in planning decisions but which are not formally designated’.



03 PLANNING POLICY CONTEXT

Sustainable development is a government priority. Defined as *'development which meets the needs of the present without compromising the ability of future generations to meet their own needs'*, it can include the adaptation and reuse of historic buildings or the retention of important open spaces for recreational activity.

Street furniture and other assets in the public realm are often highly prized by local people and can make a significant contribution to an area's character.

Right

A former signal box in Wellow is the only survivor of this type of building from the Somerset & Dorset Railway and is therefore of particular interest.



The identification and conservation of local heritage is supported by Central Government in the National Planning Policy Framework (2012):

Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place. (Paragraph 126)*

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 affect directly or indirectly 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. (Paragraph 135)

National Planning Practice Guidance advises that:

...local planning authorities are encouraged to consider making clear and up to date information on their identified non-designated heritage assets, both in terms of the criteria used to identify assets and information about the location of existing assets, accessible to the public.

Linhay style building
in Combe Hay

“At its heart local heritage listing provides a much needed opportunity for communities to have their views on local heritage heard. It recognises that the importance we place on the historic environment should extend beyond the confines of the planning system to recognise those community-based values that contribute to our sense of place.

Baroness Andrews
Chair, English Heritage (2009–2013)



The preparation and use of a 'Local List' in decision making is further supported in the same guidance:

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.

This approach is reflected in the Council's Core Strategy Policy CP6:

The Council will continue to develop strategies and guidance which ensure the historic environment and its significance is understood, recorded, promoted and enjoyed, and is sensitively and proactively managed, including those heritage assets most under threat. A positive and proactive conservation strategy will be promoted through the Placemaking Plan.

The Council's Placemaking Plan (July 2017) makes specific reference to the importance of non-designated heritage assets in paragraph 223:

Many of the District's non-designated heritage assets are also highly regarded and often much-cherished local elements of the area ranging from historic street furniture to redundant but locally important historic buildings. They may be identified for conservation during the development management process or other planning processes to assess local character. These include conservation area and village character appraisals, emerging Neighbourhood Plans and where assessing potential urban and rural development sites. Following identification they can be added to a local list of non-designated heritage assets. Where appropriate the Council will consider serving Article IV Directions to assist in conserving the local character of a conservation area.

Policy HE1: Historic Environment in the Placemaking Plan (2017) confirms that:

(3) Applications affecting the significance of any heritage asset will be required to provide sufficient information to demonstrate how the proposals would contribute to the asset's conservation.

(7g) Proposals affecting non-designated heritage assets, including unscheduled archaeology, unlisted buildings and local parks and gardens, should ensure they are conserved having regard to their significance.

Locally listed assets will therefore be a material consideration in the determination of applications for planning permission and in the formulation of policies within Neighbourhood Plans and conservation area character appraisals.



Top Belgrave Crescent

Left Rosemary Lane in Freshford contains a mixture of statutory listed and locally important buildings.

04

SELECTION CRITERIA

The process of identification of locally listed heritage assets is on-going. It includes one-off suggestions as well as being encouraged through community participation, for example, in the form of village design statements, conservation area appraisals, thematic studies and landscape appraisals. Many of Bath and North East Somerset's Parks are already recognised for their local historic value and contribution towards local distinctiveness and are consequently locally listed.



Traditional cottages can have group value, whilst churches, bridges and mills may be landmark buildings or have historical associations

The Station House in Wellow is a reminder of the past importance of the Somerset & Dorset Railway to the area, and the mark it left on the village.



The following criteria are taken from the most recent guidance by Historic England on Local Heritage Listing (May 2016). It is adapted from those used for national listing and can be used to assess whether a building or structure merits local designation:

Not all these criteria will be relevant to every case, but a particular asset may meet more than one of them to qualify. Other factors such as completeness, rarity and the degree to which the asset may be thought to be typical of Bath or North East Somerset, such as the use of local building materials, will also be considered.

² It is important to note that the majority of archaeological sites and landscapes remain undesignated. Even in cases where they are added to a local heritage list, the interest and significance of archaeological assets may therefore be national or regional

CRITERION	DESCRIPTION
Age	The age of an asset may be an important criterion and the age range can be adjusted to take into account distinctive local characteristics
Rarity	Appropriate for all assets, as judged against local characteristics
Aesthetic value	The intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics
Group value	Groupings of assets with a clear visual, design or historic relationship
Archaeological interest ²	The local heritage asset may provide evidence about past human activity in the locality, which may be archaeological – that is in the form of buried remains – but may also be revealed in the structure of buildings or in a manmade landscape. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them. This may be an appropriate reason to designate a locally significant asset on the grounds of archaeological interest if the evidence base is sufficiently compelling and if a distinct area can be identified. It is important to note that the majority of archaeological sites and landscapes remain undesignated. Even in cases where they are added to a local heritage list, the interest and significance of archaeological assets may therefore be national or regional.
Historic association	The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures.
Archival Interest	The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record.
Designed landscapes	Relating to the interest attached to locally important designed landscapes, parks and gardens and cemeteries.
Landmark status	An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene.
Social and communal value	Relating to places perceived as a source of local identity, distinctiveness, social interaction and coherence; often residing in intangible aspects of heritage contributing to the “collective memory” of a place.

05 IDENTIFYING HERITAGE ASSETS FOR LOCAL LISTING

Locally important heritage assets may be identified for conservation during the development management process or other planning processes including conservation area and village character appraisals, emerging Neighbourhood Plans and where assessing potential urban and rural development sites.

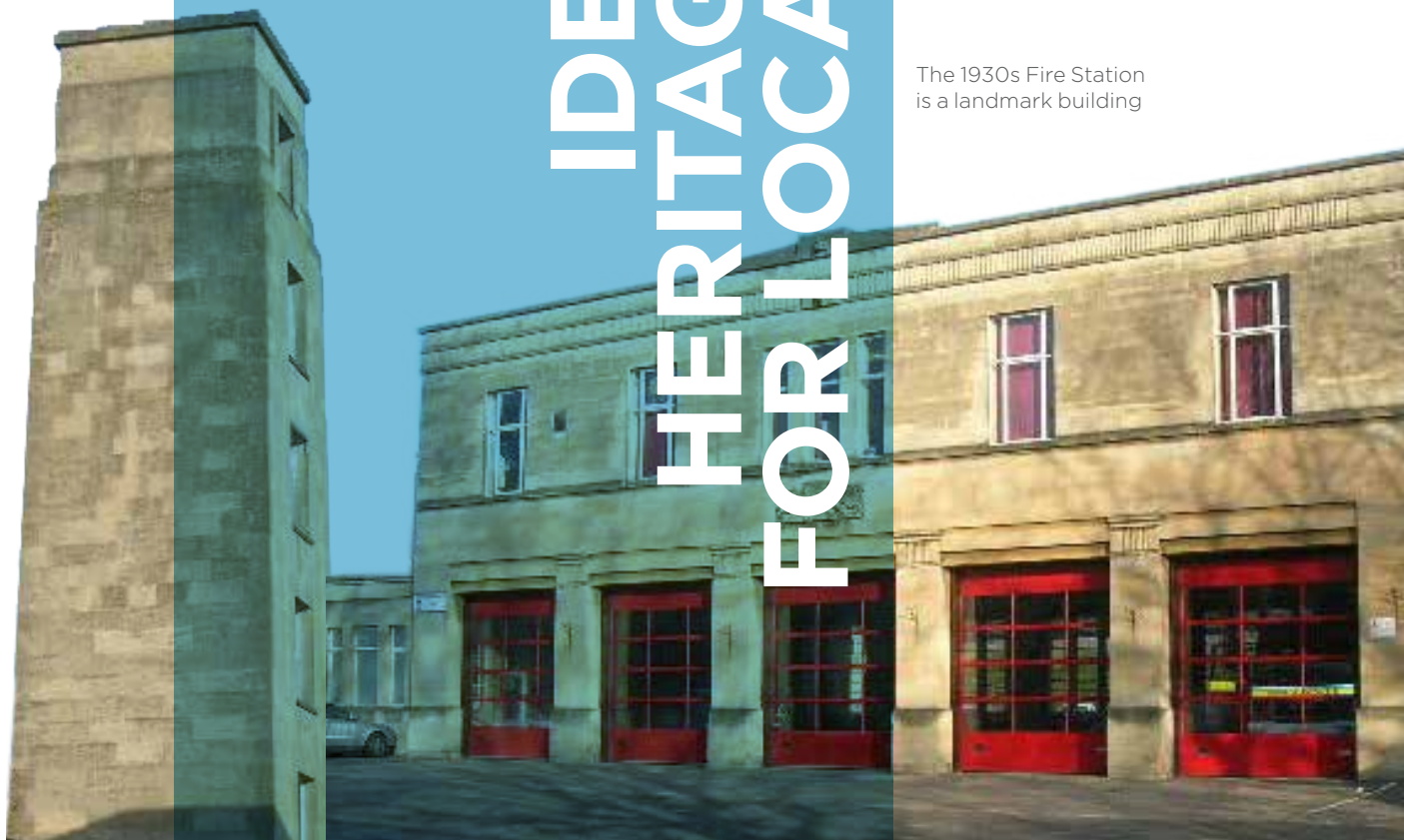
The 1930s Fire Station is a landmark building

Outside the development management process, heritage assets may be identified by the planning or conservation officers, parish and town councils, amenity societies, local history groups, local residents and members of the public. Anyone can nominate assets which meet the criteria, set out in the table above, for the local list.

Nominations should include:

- **Statement of significance:** identifies the significance of the asset against the selection criteria in the local context.
- **Location details:** Ordnance Survey (OS) grid references and street address, including postcode (where available).
- **Administrative information:** may include Parish, District and County details.
- **Photographs:** visual recording of the asset from the public realm, concentrating on significant features that contribute towards the assets distinctiveness.

A form has been prepared to help set out nominations and is available on the Council's web site at www.bathnes.gov.uk. A recent addition is the Council's Historic Environment Record is Knowing Your Place www.kypwest.org.uk. This is an interactive element of the Historic Environment Record and can be used for the purposes of sharing your own information and images about Bath and the surrounding towns and villages and to nominate individual assets.



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ASSESSMENT PROCEDURE: DETERMINING SUITABILITY FOR THE LOCAL LIST

An asset nominated for the local list is recorded and considered by the Council's specialist building conservation or archaeological officers against the criteria set out in the table above.

Reasonable effort will be made to contact owners of assets which are being considered, and will be given an opportunity to comment. All representations will be considered before the recommendation is finalised.

Nominations shall be approved for the local list in consultation with the Council's Heritage Champion and the Council's Chairman of Development Management Committee.

Any decision not to confirm local listing must be explicitly justified/ evidenced with reference to the identification criteria.

Where there is no consensus with regards to nomination, the decision shall be taken by the Development Management Committee.

Owners will be notified if and when their heritage asset has been recorded on the Historic Environment Record as a local list designation together with an explanation of what this means and how it affects them.

Requests for removal will be assessed by the Council's specialist team and removal will take place in consultation

with the Council's Heritage Champion and the Council's Chairman of Development Management Committee.

Requests for a local list entry to be removed from the Historic Environment Record must be supported by evidence to show that the asset is not of special interest and therefore no longer merits being on the local list.

Where there is evidence of deliberate neglect of or damage to a locally listed asset, the deteriorated state of the asset will not be taken into account.

There are many WWII pill boxes and other associated structures including tank traps in the district that were built as part of the Stop Line Green defence in preparation for a

possible German invasion in the early part of the war. These are regarded as important heritage assets possessing considerable historical significance.



The Bath Press building is a prominent and impressive feature along Lower Bristol Road in Bath

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RECORDING INFORMATION ABOUT LOCALLY LISTED HERITAGE ASSETS

All buildings, structures, monuments and landscape features identified as locally listed and recorded on the Council's Historic Environment Record will be plotted onto electronic (GIS) map layers used for development management purposes.

It will be possible to look up an asset on the Council's website online mapping (in the Planning section) to see if it has been locally listed, by contacting the Council's Planning and Conservation Team (see contact details below) or by looking on the Know Your Place website for Banes.

The Old Mills Batch is a local heritage asset with significance deriving from its evidential, historical and communal value relating to the history of the coal mining industry in Somerset.

19th Century former Malt House



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PROTECTION OF LOCALLY LISTED HERITAGE ASSETS

There is no statutory protection for locally listed heritage assets outside conservation areas; however, proposed development, alterations, extensions, and changes of use may still require planning permission.

In conservation areas demolition of unlisted buildings and some structures such as walls requires planning permission. The designation of a locally listed heritage asset will be a material consideration in the determination of all applications for planning permission which may affect it.

Some alterations can of course be made to properties without the need for planning permission. Locally listed assets can have their special character harmed by unsympathetic alterations undertaken under existing permitted development rights, for example the removal of original windows and doors or the loss of traditional roofing materials. Generally, proposed development on open spaces and landscapes will be subject to the need for planning permission. In these cases their status as locally listed heritage assets will need to be taken into consideration before a decision can be made regarding the proposed development.

Victoria Hall in Radstock is an important civic building with strong communal associations and landmark quality.

Angel Place,
Bath



09

DEMOLITION

Planning permission will not normally be granted for the demolition of a locally listed asset. Preserving the front of a building whilst demolishing and redeveloping the remaining part is not considered to be good conservation practice and will be resisted.

Proposals for demolition or substantial demolition must normally demonstrate clear and convincing evidence that the asset is no longer of local importance, that it is beyond repair, restoration or reuse, or that the proposed redevelopment would produce substantial public benefit, which would decisively outweigh the loss resulting from demolition. Redevelopment proposals for locally listed assets should consider how they can be incorporated into the development and their significance revealed rather than demolished.

In cases where permission is granted for the demolition of a locally listed asset, the Council may require that provision is made by the developer to accurately record the asset prior to its demolition. There will be an expectation that the asset is replaced with one that makes a positive contribution to the character of the locality.

St Nicholas
School, Radstock





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ARTICLES 4 DIRECTIONS

(APPLIES TO BUILDINGS AND AREAS ONLY)

Unsuitable alterations specifically to buildings can be prevented where appropriate by the serving of a Direction under Article 4 of the General Development Order (1995).

An Article 4 Direction can remove permitted development rights (including demolition) for specific works where there is a threat to the character of the building or the area. Such a direction would result in planning permission being required for the demolition of a property or for alterations to (for example, alterations to windows, doors and roofing materials which have a material impact on the appearance of the building).

The Council will consider the use of Article 4 Directions to control inappropriate alterations to locally listed assets.

Good example of unaltered building with traditional sash windows.

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SETTING

Alterations to a locally listed asset should not harm its setting. This means that careful consideration should be given to the location and design of new development within the grounds (such as garages and outbuildings).

The setting of a locally listed asset may include land outside the building's curtilage and could include adjacent land, important views or the wider street scene.

Old School House,
Writhlington



Freshford Church
of England
Primary School

12 OTHER GUIDANCE



The Council recognises that heritage assets often need to be altered or adapted for changing needs and aspirations. Where alterations are proposed, an understanding of an asset's local interest can help inform the most appropriate approach.

It is recommended that proposals to alter and repair locally listed assets should be drawn up and carried out by architects, agents, and contractors who have experience in working with historic structures.

The guidelines can be found on the BANES and Historic England's websites and are intended to help inform good practice.

The following organisations provide publications, pamphlets and advice relating to conservation and the repair of historic buildings.

Historic England

Customer Services Department
The Engine House
Fire Fly Avenue
Swindon SN2 2EH
T: +44 (0)1793 445050
E: customers@HistoricEngland.org.uk
<https://historicengland.org.uk>

Society for the Protection of Ancient Buildings (SPAB)

37 Spital Square
London E1 6DY
T: 0207 3771644
E: info@spab.org.uk
www.spab.org.uk

Georgian Group

6 Fitzroy Square
London W1T 5DX
T: 020 7529 8920
E: office@georgiangroup.org.uk
www.georgiangroup.org.uk

Victorian Society

1 Priory Gardens
Bedford Park
London W4 1TT
T: 020 8994 1019
E: admin@victoriansociety.org.uk
www.victorian-society.org.uk

The Twentieth Century Society

Co-ordinator
The Twentieth Century Society
70 Cowcross Street
London EC1M 6EJ
T: 020 7250 3857
E: caseworker@c20society.org.uk
www.c20society.org.uk

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FURTHER INFORMATION

If you are in any doubt about whether planning permission or any other consent is required for the works you wish to carry out, please contact the Planning Information Officer on 01225 394041.

If you have any questions about locally listed buildings please contact:

Planning and Conservation

Bath and North East
Somerset Council
Lewis House
Manvers Street
Bath BA1 1JG

T: 01225 394041

www.bathnes.gov.uk



Local lists play an essential role in building and reinforcing a sense of local character and distinctiveness.



