

## 21 Heritage Assets

### 21.1 Introduction

21.1.1 The District is fortunate in having a rich and varied historic environment, which includes landscapes, sites, buildings and townscapes, and buried remains of significant archaeological and historic interest.

### 21.2 Heritage Assets

21.2.1 Heritage assets make a valuable contribution to the areas economic and social wellbeing. Heritage assets include a building, monument, site, place, area or landscape positively identified as having a degree of significance meriting consideration in planning decisions. Heritage assets are the valued components of the historic environment. They include designated heritage assets and non-designated assets identified by the local planning authority.

21.2.2 The District Council recognises that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance. Heritage assets in East Herts include:

- Over ~~30~~ 40 Scheduled Monuments
- Nearly 3,100 Listed Buildings
- 42 Conservation Areas
- ~~450~~ 550 Areas of Archaeological Significance
- 15 Registered Parks and Gardens of Special Historic Interest
- 59 Locally Listed Historic Parks and Gardens

21.2.3 Not all designated heritage assets are identified under the Planning Acts, for example, scheduled monuments are designated in separate legislation. Nonetheless, planning has a role to ensure that new development does not adversely affect these assets.

21.2.4 The long-term management of heritage assets is essential and where inadequate measures are taken to maintain heritage assets such neglect may result in an asset falling

into disrepair. The Council will monitor the condition of heritage assets and publish a heritage at risk register alongside the register published annually by English Heritage. Regular monitoring is necessary in order to prevent the decline in condition of the District's heritage assets.

[Further information on the English Heritage Buildings at Risk Register is available on the English Heritage website at: http://risk.english-heritage.org.uk/register.aspx](http://risk.english-heritage.org.uk/register.aspx)

### **Policy HA1 Designated Heritage Assets**

I. Development proposals should protect and enhance the historic environment of East Herts.

II. Development proposals that would harm the significance of a designated heritage asset will not be permitted unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

III. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset will not be taken into account in any decision.

IV. The Council will, as part of a positive strategy, pursue opportunities for conservation and enjoyment of the historic environment recognising its role and contribution in achieving sustainable development.

21.2.5 In addition to those heritage assets that are statutorily protected, non-designated assets can be identified by the Local Planning Authority if they are considered to be of local significance. Significance refers to the value of a historic 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 the heritage asset's physical presence, but also its setting. Significance will be measured in terms of how the asset meets the following five criteria:

- Rarity

- Representativeness
- Aesthetic appeal
- Integrity
- Association

Non-designated heritage assets are being identified through the Conservation Area Appraisal work that the Council is currently undertaking.

Further information and good practice on the identification of non-designated heritage assets is available on the English Heritage website at: [www.english-heritage.org.uk](http://www.english-heritage.org.uk)

Further information on local heritage assets is available on the Hertfordshire Historic Environment Record website: <http://www.hertsdirect.org/services/envplan/archaeology/sites/>

21.2.6 The following policy therefore seeks to ensure that the value and significance of the district's non-designated heritage assets are protected so that they continue to contribute to the richness of the district's historic environment and inform future development.

### **Policy HA2 Non-Designated Heritage Assets**

I. The Council will engage with local communities to identify undesignated heritage assets that contribute to local distinctiveness and refer to existing information in the historic environment record.

II. Where a proposal would adversely affect a non-designated heritage asset, regard will be had to the scale of any harm or loss and the significance of the heritage asset.

## **21.3 Archaeology**

21.3.1 Archaeological remains are a fragile and finite resource. Appropriate management of archaeological remains is essential to ensure they survive in good condition and are not needlessly or thoughtlessly destroyed. Areas of Archaeological Significance (AAS) are places within the

District that are deemed to be of moderate or high archaeological potential, based on evidence from known heritage assets (buildings, sites, features and finds). Alterations to existing AAS or identification of new AAS may be required based on new data or understanding of significance.

- 21.3.2 Where a site has potential archaeological interest (whether scheduled or unscheduled) a desk based assessment will be required. This should be based on the collation of existing written and graphic information, in order to identify the likely character, extent and relative quality of the actual or potential archaeological resource. ~~If features are present then~~ A field evaluation may also be necessary to define their character, extent and relative quality so that their worth may be assessed in local, regional and national contexts.

The Hertfordshire Historic Environment Record (HER) is a computerised record of Hertfordshire's historic environment. It contains information on historic buildings, archaeological remains, historic sites and military remains. The HER can be used to identify significant historic remains and finds. It also contains information on surveys and archaeological excavations undertaken in Hertfordshire.

Further information can be found from their website: <http://www.hertsdirect.org/services/envplan/archaeology/sites/>

- 21.3.3 The case for preservation will be assessed on the merits of the individual application. In cases where preservation in situ would not be required, developers may be asked to enter into a Section 106 Agreement before planning permission is given. This secures excavation, recording and publication of information prior to development starting. Where planning permission is given, conditions may be attached to the grant of permission to ensure that excavation and recording is carried out before development work starts, and to ensure that a 'watching brief' is maintained while work progresses.
- 21.3.4 Areas of Archaeological Significance, including potential areas, are identified on the Policies Map. The sites are correct at the time of publication of the District Plan but may

be subject to change through future reviews. The Council will refer to the most up-to-date position.

### **Policy HA3 Archaeology**

I. Where a site has the potential to include heritage assets with archaeological interest (whether scheduled or unscheduled), applicants should submit an appropriate desk based assessment and, where necessary, the results of a field evaluation prior to the submission of an application.

II. Where development is permitted on sites containing archaeological remains, planning permission will be subject to conditions and/or formal agreements requiring appropriate excavation and recording in advance of development.

## **21.4 Conservation Areas**

21.4.1 Since 1968 local authorities have been able to designate Conservation Areas. Conservation Areas can be designated if they are of special historic or architectural interest, the character and appearance of which it is desirable to preserve or enhance.

21.4.2 There is no standard specification for Conservation Areas. The special interest of an area can derive from a combination of characteristics, such as the historic street pattern, ~~and~~ traditional or notable building styles, or landscape features. Important to all Conservation Areas is the visual 'quality of place' they possess. This aspect principally results from the way in which the buildings and spaces relate to each other, together with the inherent quality of the buildings and other structures.

21.4.3 The District Council has commenced a programme of Conservation Area appraisal work to identify and document what factors are considered to make up the special character of these areas. These documents also include management

proposals to ensure the continued enhancement of these areas.

21.4.4 In order to protect their special environment, stricter controls over demolition, works to trees and new development apply within Conservation Areas. These controls are not intended as a hindrance to change, but as a positive management tool to safeguard the character of the area as a whole.

21.4.5 The district's Conservation Areas are identified on the Policies Map. Within the plan period consideration will be given to further areas which may merit designation as Conservation Areas and to the review of existing Conservation Area boundaries.

#### **Policy HA4 Conservation Areas**

I. New development, extensions and alterations to existing buildings in Conservation Areas will be permitted provided that they ~~preserve~~ conserve or enhance the established character or appearance of the area. Development proposals outside a Conservation Area which affect its character and setting will be considered likewise. Proposals will be expected to:

- (a) Respect established building lines, layouts and patterns;
- (b) Use materials and adopt design details which are traditional to the area;
- (c) Be sympathetic in scale, proportion, form, height and overall character to the surrounding area;
- (d) In the case of alterations and extensions, be complementary and sympathetic to the parent building; and
- (e) Conform to any 'Conservation Area Appraisals' prepared by the District Council and safeguard all aspects which contribute to the area's significance, including important views and green spaces.

II. Consent for demolition will only be granted if the building or structure makes no positive contribution to the character of the Conservation Area.

21.4.6 In the district's town centres, frontages to shops and commercial premises play a key role in defining the character and quality of the Conservation Areas. The Council is therefore keen to ensure that a high quality environment is maintained, consistent with commercial and economic considerations. The introduction of unsympathetic advertisements can compromise the quality of the environment. Signage and lighting must therefore be sensitive to the character of these areas. For example, poster boarding are seldom appropriate in Conservation Areas.

#### **Policy HA5 Shopfronts in Conservation Areas**

I. Proposals for new shop front or commercial premise frontage or alterations to existing ones will be permitted where the proposed design is sympathetic to the scale, proportions, character and materials of the structure, adjoining buildings and the street scene in general.

II. Shop fronts of architectural or historic interest shall be retained and repaired as necessary.

III. Security features should be designed in a sensitive manner which respects the overall character of the frontage and location, facilitates natural surveillance and maintains an attractive street scene. The use of architectural solutions combined with the use of an internal open lattice grille is preferred. Alarm boxes should be of a discreet colour and size, located carefully in relation to the elevation of the building, whilst being obvious enough to deter an intruder.

#### **Policy HA6 Advertisements in Conservation Areas**

Where express consent is required within Conservation Areas the District Council will only accept advertisements where they:

(a) Are either painted or individually lettered in a suitable material of an appropriate size and design in relation to the building or fascia upon which they are to be displayed;

- (b) Are preferably non-illuminated. Where illumination is proposed as necessary it should be discreet in size and of a minimum level;
- (c) Are of a traditional fascia or hanging type; and
- (d) Are of an appropriate size necessary to convey their message.

## **21.5 Listed Buildings**

- 21.5.1 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 there is a statutory duty to compile Lists of Buildings of Special Architectural or Historic Interest for the whole country.
- 21.5.2 The 'National Heritage List for England' identifies those buildings which are of special interest and gives the Council extra powers to protect them, as well as imposing extra responsibilities on their owners.

English Heritage maintains the list of properties and structures (including their descriptions and location maps) which can be accessed from their website at: [www.english-heritage.org.uk/](http://www.english-heritage.org.uk/)

- 21.5.3 Listed buildings of special architectural or historic interest must be sensitively repaired and improved, using traditional materials and techniques. Appropriate new uses should be found for them in order to secure their future survival. Demolition will not normally be allowed. Alterations/additions to listed buildings require the greatest skill and care, in order to avoid damage to the intrinsic character of the buildings themselves, including interiors and fixtures, and to their setting. Similarly, new development affecting a listed building must be sympathetically designed, so as not to harm the listed building's historic integrity and identity. The use of legal powers will be considered where listed buildings are at risk from wilful neglect, long-term dereliction or abandonment.
- 21.5.4 'Listed building consent' is required from the District Council for any works that affect a building's special character. The listing of a building is intended to ensure that it will be conserved in accordance with its significance. However, alterations and improvements can be made where they are compatible with the special architectural or historic interest of

the building. The designation allows changes to be carefully scrutinised when a planning application is made. To support applicants the Council has produced a series of guidance notes on the preservation and repair of historic materials and buildings.

The East Herts guidance notes on the preservation and repair of historic materials and buildings can be viewed and downloaded from the Council's Website at: [www.eastherts.gov.uk/conservationandheritage](http://www.eastherts.gov.uk/conservationandheritage)

### **Policy HA7 Listed Buildings**

I. The Council will actively seek opportunities to sustain and enhance the significance of Listed Buildings and ensure that they are in viable uses consistent with their conservation.

II. In considering applications the Council will ensure that proposals involving the alteration, extension, or change of use of a Listed Building will only be permitted where:

(a) The proposal would not have any adverse effect on the architectural and historic character or appearance of the interior or exterior of the building or its setting; and

(b) The proposal respects the scale, design, materials and finishes of the existing building(s), and preserves its historic fabric.

III. Proposals that affect the setting of a Listed Building will only be permitted where the setting of the building is enhanced.

## **21.6 Historic Parks and Gardens**

21.6.1 Historic parks and gardens are a fragile and finite resource: they can easily be damaged beyond repair or lost forever. They are an important part of the heritage and environment of the district. They comprise of a variety of features: the open space; views in and out; the planting; water features; built features and archaeological remains. There is a need to protect such sites and their settings from new development which would destroy or harm the historic interest.

21.6.2 The English Heritage 'Register of Historic Parks and Gardens of special historic interest in England' was established in 1983 and currently identifies over 1,600 sites assessed to be of national importance. Fifteen of these are in the district and are identified on the Policies Map.

The 'Register of Historic Parks and Gardens of special historic interest in England' can be viewed and downloaded at: [www.english-heritage.org.uk](http://www.english-heritage.org.uk)

21.6.3 The main purpose of this Register is to celebrate designed landscapes of note, and encourage appropriate protection. It is hoped that by identifying sites in this way, their value and significance will be conserved and enhanced both by those those who own them, and others who have a role in their protection and their future.

21.6.4 The registration of designed landscapes does not entail additional planning controls but does make these assets a 'material consideration' in the planning process, meaning that planning authorities must consider the impact of any proposed development on the landscape's special character. The Council will through its planning role promote conservation and public appreciation of the District's designed landscapes.

21.6.5 In addition to those parks and gardens on the Register, the Hertfordshire Gardens Trust has also compiled a list of other locally important sites in the district. These are considered by the District Council to be of sufficient quality to warrant appropriate preservation and protection when considering development proposals under the following policy.

21.6.6 Further information, including a list of locally important parks and gardens, can be found in the Council's 'Historic Parks & Gardens' Supplementary Planning Document (September 2007).

The 'Historic Parks & Gardens' Supplementary Planning Document (September 2007, or as amended) can be viewed and downloaded at: [www.eastherts.gov.uk/historicparksandgardensspd](http://www.eastherts.gov.uk/historicparksandgardensspd)

### **Policy HA8 Historic Parks and Gardens**

I. Development proposals that materially harm the special historic character, appearance or setting of those sites listed on the English Heritage 'Register of Historic Parks and Gardens' will not be permitted. The same level of protection will be afforded to other locally important sites.

II. Where appropriate, the District Council will actively encourage proposals for the repair, restoration and management of historic parks and gardens.

## **21.7 Enabling Development**

21.7.1 Enabling development is the means of securing the long-term future of a significant place when conservation through development in compliance with policy cannot do so.

21.7.2 The vast majority of significant places survive because they are capable of beneficial use. Their maintenance is justified by their usefulness to, and appreciation by, their owners, not just value in the property market, either in their own right or as part of a larger entity. An historic garden, for example, normally adds to the amenities and value of a house. The problem that enabling development typically seeks to address occurs when the cost of maintenance, major repair or conversion to the optimum viable use of a building is greater than its resulting value to its owner or in the property market. This means that a subsidy to cover the difference – the 'conservation deficit' – is necessary to secure its future.

21.7.3 The scale and range of enabling development can vary greatly. Whilst often associated with residential development

to support the repair of a country house, it can include, for example, an extension acceptable in historic building terms, but exceeding the maximum size permitted under plan policies for the rural area.

Detailed guidance on how an applicant might make an enabling development application is set out in English Heritage's guidance on 'Enabling Development and the Conservation of Significant Places', which can be viewed and downloaded at: [www.english-heritage.org.uk](http://www.english-heritage.org.uk)

### **Policy HA9 Enabling Development**

I. Proposals for enabling development will be assessed in accordance with the English Heritage's latest guide on 'Enabling Development and the Conservation of Significant Places'.

II. Enabling development which would secure the future of a significant place, but would be contrary to other planning policy objectives, should be unacceptable unless:

(a) The benefits of a proposal for enabling development, which would secure the future conservation of a significant place, outweigh any public harm or loss consequent upon conflicts with and the departure from other District Plan policies;

(b) The proposal does not materially detract from the archaeological, architectural, historic, artistic, landscape or nature conservation of the site or its setting;

(c) The proposal avoids detrimental fragmentation of management of the place;

(d) The proposal is necessary to resolve problems arising from the inherent needs of the place;

(e) Sufficient subsidy is not available from any other source; and

(f) It is clearly demonstrated that the proposal is the minimum necessary to ensure the future of the site.

