

## 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, monuments, 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 buildings, monuments, sites, places, areas or landscapes positively identified as having special interest and significance that merits 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 special interest and significance. Heritage assets in East Herts include:

- ~~Over 40~~ 45 Scheduled Monuments
- Nearly 3,100 Listed Buildings (which comprise over 4,000 individual listed features)
- 42 Conservation Areas
- 550 Areas of Archaeological Significance
- ~~45~~ 16 Registered Parks and Gardens of Special Historic Interest
- ~~59~~ 58 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 too.

**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, which could result in irreparable damage to or the loss of the asset. The Council will monitor the condition of heritage assets and publish a local heritage at risk register alongside the national register published annually by Historic England. Regular monitoring is necessary in order to prevent the decline in condition of the District's heritage assets.

Further information on the Historic England Buildings at Risk Register is available on the Historic England website at: [www.historicengland.org.uk](http://www.historicengland.org.uk)

## Policy HA1 Designated Heritage Assets

- I. Development proposals should preserve and where appropriate 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.~~ Development proposals that would lead to substantial harm to the significance of a designated heritage asset will not be permitted unless it can demonstrated that the harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Less than substantial harm should be weighed against the public benefits of the proposal.
- III. Where there is evidence of 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 the 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 ongoing monitoring as well as through the Conservation Area Appraisal work that the Council is currently undertaking, and through future updates to ~~in~~ the Historic Parks & Gardens SPD 2007.

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

Further information on local heritage assets is available on the Hertfordshire Historic Environment Record website: [www.hertfordshire.gov.uk/services/envplan/archaeology/sites/](http://www.hertfordshire.gov.uk/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 **key stakeholders and** local communities to identify **undesigned non-designated** 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. 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:

[www.hertfordshire.gov.uk/services/envplan/archaeology/sites/](http://www.hertfordshire.gov.uk/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 and recording of information prior to development starting and subsequent storage and display of material. 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 consult with the Hertfordshire Historic Environment Unit to 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 and the subsequent storage and display of material.

## **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 or 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 many characteristics, such as the historic street pattern, 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 public and private spaces relate to each other, together with the inherent quality of the buildings, other structures, landscapes and the public realm.

**21.4.3** The Council's Conservation Areas are identified on the Policies Map. In order to protect their special interest, 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 or appearance of the conservation area.

**21.4.4** The District Council has an ongoing programme of review of its existing and potential Conservation Areas to identify and document which factors are considered to make up the special interest, character or appearance of these areas. The resultant Conservation Area Character Appraisals also include Conservation Area Management Proposals. Management Proposals are a statutory requirement of s.71 of the 1990 Act. They will put forward policy and project initiatives designed to address the threats and opportunities identified in the Character Appraisal and

thereby more effectively preserve and enhance the character and appearance of the Conservation Area.

**21.4.5** Evidence from Conservation Area Character Appraisals and local groups indicate that a number of Conservation Areas are suffering from the gradual erosion of traditional features, materials and details in both the public and private realm and that this is undermining their special interest. A more proactive approach is needed to halt and reverse this trend and to reinstate these features as part of works to preserve and enhance the character and appearance of Conservation Areas.

**21.4.6** Where appropriate, Article 4 directions will be made that bring specific permitted development rights within the planning system. This will be used to prevent the further loss of significant historic features and to seek to secure the restoration of features already lost. Thus, in time, the erosion of the Conservation Area's special interest will be halted and reversed and the area will be better preserved and enhanced.

### **Policy HA4 Conservation Areas**

- I. New development, extensions and alterations to existing buildings in Conservation Areas will be permitted provided that they preserve or enhance the special interest, character ~~or~~ and appearance of the area. Development proposals outside a Conservation Area which affect its 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 reinforce local character and are traditional to the area;
  - (c) be of a scale, proportion, form, height, design and overall character that accords with and complements the surrounding area;
  - (d) in the case of alterations and extensions, be complementary and sympathetic to the parent building; and
  - (e) ~~Conform~~ have regard to any 'Conservation Area Character Appraisals' prepared by the District Council and safeguard all aspects which contribute to the area's special interest and significance, including important views and green spaces.
  - (f) where development proposals ~~derive from~~ relate to Conservation Area Management Proposals the duty to preserve ~~and~~ or enhance will be applied. Development proposals, including minor development under an Article 4 direction, will be expected to 'preserve' surviving architectural features identified as being significant to the character or appearance of the area or, where previously lost, to 'enhance' that character and appearance through the authentic restoration of those lost features.

- II. Permission for the demolition of buildings or structures within a Conservation Area will only be granted if it makes no positive contribution to the character of the Conservation Area and the replacement is of good design and satisfies the above requirements of this policy.

**21.4.7** 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 and may downgrade the image and reduce the footfall in an area. Signage and lighting must therefore be sensitive to the character of these areas and not contribute to an escalation of competitive signage and levels of illumination along the street. For example, poster boarding or large fascia and internal illumination are not appropriate in Conservation Areas. It may be necessary for conditions to be imposed on the hours and luminosity of lighting in order to reduce harm to residential amenity.

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

- I. Proposals for a new shop front or commercial premise frontage or alterations to existing ones will be permitted where the proposed design follows historic shopfront design, is sympathetic to the scale, proportions, design details and materials of the structure or adjoining buildings and the character and appearance of the Conservation Area.
- 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/passive 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 a proportionate size and design in relation to the building or fascia upon which they are to be displayed;
- (b) Are preferably non-illuminated or does not contribute to an escalation of shopfront lighting along the street scene. Where illumination is proposed it should be external illumination which is

discreet in size and of a minimum level. Internal illumination of shop signage will not be permitted;

(c) Are of a traditional fascia or hanging type; and

(d) Are of a traditional and appropriate size to the architecture of the host building.

## **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.

Historic England maintains The National Heritage List for England. This full and current list of properties and structures (including their descriptions and location maps) can be accessed from their website at: [www.historicengland.org.uk](http://www.historicengland.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 and sustainable 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 preserved ~~and 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 Historic England '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~~ Sixteen 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' is included in the National Heritage List for England, which is available at: [www.historicengland.org.uk](http://www.historicengland.org.uk)

Further information on the Register of Historic Parks and Gardens can be found on the Historic England website: [www.historicengland.org.uk](http://www.historicengland.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 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) [www.eastherts.gov.uk/spd](http://www.eastherts.gov.uk/spd)

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

- I. Development proposals ~~that materially harm~~ **should protect** the special historic character, appearance or setting of those sites listed on the Historic England '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 Historic England's guidance on 'Enabling Development and the Conservation of Significant Places', which can be viewed and downloaded at: [www.historicengland.org.uk](http://www.historicengland.org.uk)

### **Policy HA9 Enabling Development**

- I. Proposals for enabling development will be assessed in accordance with having regard to Historic England's latest guide guidance on 'Enabling Development and the Conservation of Significant Places' enabling development.
- 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.~~