

# **Non-Designated Heritage Assets: Selection Criteria**

**(January 2019)**

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## **Executive Summary**

The purpose of this document is to establish and adopt criteria for the selection of non-designated heritage assets and to set out a process for their selection. Those assets identified as having significance will then be given due weight according to their heritage value in making planning decisions. The National Planning Policy Framework and Gedling Borough Council's Local Planning Document (Part 2 Local Plan) set out specific policy protections for non-designated heritage assets.

It is intended that the preparation of a local list will raise general awareness of the importance of heritage assets in Gedling Borough and that this document will form a basis for good practice, including in cases where planning permission is not required.

The list of non-designated heritage assets will be published on the Gedling Borough Council website: [www.gedling.gov.uk/heritage-assets](http://www.gedling.gov.uk/heritage-assets).

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## 1.0. Introduction

### Defining the Historic Environment and Local Listing

- 1.1. This section summarises the definition of heritage assets and the role of local listing within the wider historic environment framework.
- 1.2. The historic environment contributes to the delivery of wider social, cultural, economic and environmental objectives and is therefore an asset of significant value. The National Planning Policy Framework (NPPF) defines **heritage assets** 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. It includes designated heritage assets and assets identified by the local planning authority (including local listing)’<sup>1</sup>.*

- 1.3. Some heritage assets are ‘designated’ (including Listed Buildings, Conservation Areas, World Heritage Sites, Registered Parks and Gardens and Scheduled Ancient Monuments) and have certain statutory protections. The Government recognises local listing within its definition of heritage assets. Historic England summarises **local listing** as having:

*‘...an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment, as part of the wider range of designation. They enable the significance of any building or site on the list (in its own right and as a contributor to the local planning authority’s wider strategic planning objectives), to be better taken into account in planning applications affecting the building or site or its setting’<sup>2</sup>.*

### Purpose of this Document

- 1.4. This document establishes selection criteria for identifying ‘non-designated’ heritage assets in Gedling Borough and sets out the process for their selection. It is considered that the local list will be consistent, robust and will be given due weight for the purpose of determining planning applications.
- 1.5. The local list for Gedling Borough was last updated through the adoption of the Replacement Local Plan (2005). This plan was superseded by the Local Planning Document (Part 2 Local Plan) (2018), which includes the 2005 local list at Appendix E and proposes that this will be the starting point for updating the local list. The key benefits of adopting a selection criteria approach is that this will enable continual monitoring and review of the local list, based on the latest evidence, and will provide some degree of protection in the planning

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<sup>1</sup> MHCLG (2018), National Planning Policy Framework, Annex 2.

<sup>2</sup> Historic England (2016), Local Heritage Listing Historic England Advice Note 7, Summary.

process to those non-designated heritage assets either identified already or yet to be discovered.

- 1.6.** Through local listing, the Council will raise the profile of locally important features of the historic environment that are not already statutorily protected, and give these additional planning policy protections.

## **2.0. Planning Policy Context**

**2.1.** This section summarises the planning policies and other documents that are relevant to development proposals affecting non-designated heritage assets.

### **2.2. National Planning Policy Framework (2018)**

- Section 16 establishes the national policy approach to be taken when determining development proposals affecting heritage assets, including local listing. To summarise, proposals affecting the significance of a heritage asset or its setting should avoid or minimise any conflict with the heritage asset's conservation.
- Paragraph 192 relates to heritage assets generally and states:  
*'In determining planning applications, local planning authorities should take account of (1) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; (2) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and (3) the desirability of new development making a positive contribution to local character and distinctiveness'.*
- Paragraph 197 relates specifically to considering the potential impacts of development proposals upon non-designated heritage assets and states:  
*'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 directly or indirectly affect 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'.*

### **2.3. Greater Nottingham Aligned Core Strategy (Part 1 Local Plan) (2014)**

- Policy 10 (Design and Enhancing Local Identity) establishes that development proposals will be assessed in terms of their treatment of design elements including 'materials, architectural style and detailing' and 'setting of heritage assets'.
- Policy 11 (The Historic Environment) supports the conservation and/or enhancement of heritage assets and their settings in line with their interest and significance. The policy outlines approaches including 'identifying ways to positively manage and make better use of historic assets' and 'considering the need for the preparation of local evidence' to assist in the protection of the historic environment.

#### **2.4. Gedling Borough Local Planning Document (Part 2 Local Plan) (2018)**

- Policy LPD 26 (Heritage Assets) establishes development criteria for all heritage assets and requires planning proposals to demonstrate in a proportionate manner the significance of the asset; to identify the impact upon the special character of the asset and its setting and to justify any resulting harm to the asset weighed against public benefit. Proposals that conserve or enhance the asset will be supported. Proposals that cause harm to the significance of an asset will be refused unless there are overriding public benefits or mitigation measures are secured, including where necessary the negotiation of a Section 106 obligation.
- Policy LPD 31 (Locally Important Heritage Assets\*) sets out that where planning permission is required for development affecting a non-designated heritage asset, permission will only be granted where its significance is conserved or enhanced. The supporting text of the policy refers to the preparation of a 'robust assessment process involving heritage experts' in order to prepare a list of such assets. Where a non-designated heritage asset has been identified, its status 'will be a material consideration capable of being given substantial weight when determining planning applications'. Policy LPD 31 effectively establishes the framework for the preparation of this selection criteria document.

\*It should be noted that the Local Planning Document uses the terminology 'locally important heritage asset' whereas the National Planning Policy Framework uses the terminology 'non-designated heritage asset'. These terms are interchangeable and are referring to the same thing.

#### **2.5. Neighbourhood Plans**

There are currently four designated Neighbourhood Areas in Gedling Borough covering the parishes of Burton Joyce, Calverton, Linby and Papplewick. Neighbourhood Plans are prepared and approved by the local community. Neighbourhood Plans can identify assets of local and historic value, and nominate these for consideration as non-designated heritage assets. Two Neighbourhood Plans have nominated assets for consideration:-

- Papplewick Neighbourhood Plan Final Plan (2018): Policy 7 nominates 11 buildings for assessment as non-designated heritage assets.
- Burton Joyce Neighbourhood Plan Final Plan (2018): Policy NP6 nominates 13 buildings for assessment as non-designated heritage assets.

## **2.6. Conservation Area Appraisals**

There are six designated Conservation Areas in Gedling Borough located in Bestwood Village; Calverton; Lambley; Linby; Papplewick and Woodborough. Conservation Areas have certain statutory protections under the Planning (Listed Buildings and Conservation Areas) Act 1990. The Council has adopted Conservation Area Character Appraisals<sup>3</sup> for each which identifies features that contribute to each area's character, including features that are not necessarily designated on their own merit. These documents are periodically reviewed.

## **2.7. Historic England Local Heritage Listing Advice Note 7 (2016)**

The selection criteria and process have been prepared taking account of the latest advice published by Historic England<sup>4</sup>.

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<sup>3</sup><http://www.gedling.gov.uk/resident/planningandbuildingcontrol/planningpolicy/heritage/conservationareas/>

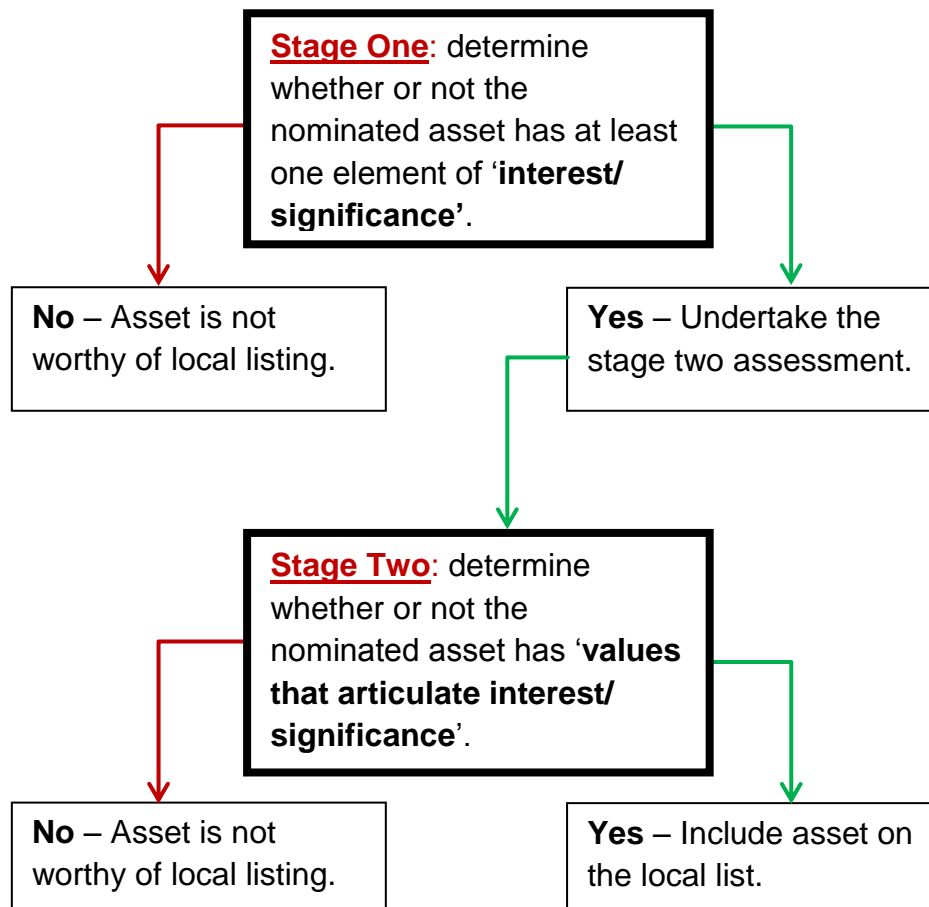
<sup>4</sup><https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>

### 3.0. Selection Criteria for Identifying Non-Designated Heritage Assets

- 3.1. This section sets out the selection criteria for identifying non-designated heritage assets. The criteria are based primarily on Historic England advice<sup>5</sup> and examples of good practice present in similar criteria adopted by other local authorities.
- 3.2. The selection criteria provide a sound basis for local listing in Gedling Borough. The local list will be monitored and reviewed on an on-going basis. As a result it is considered that due weight can be given to the conservation and/or enhancement of identified non-designated heritage assets.

#### Selection Criteria

- 3.3. Nominated assets will be assessed on (1) their '**interest/ significance**' and (2) the '**values that articulate interest/ significance**'. In order for an asset to be identified as a non-designated heritage asset it must demonstrate having at least one of each elements (1) and (2). Where there is insufficient information to assess a nominated asset or where the assessment is marginal it will not be locally listed.
- 3.4. The assessment process for identification is shown on the diagram below.



<sup>5</sup> Historic England (2016), Local Heritage Listing Historic England Advice Note 7, Page 9.



**Stage One – Elements of interest/ significance:**

Criteria	How this will be assessed
<p><b>Age</b> – The age of an asset may be an important criterion. Age ranges can be adjusted to take into account distinctive local characteristics, building traditions and different periods/styles of development.</p>	<p>The older an asset is, the more likely it is to be of significance. Assessment will be based on the date of original construction and can take into account the date of any additions or alterations to the building and the level of survival of historic fabric and features.</p>
<p><b>Rarity</b> – For an asset to have a degree of rarity (whether a building, archaeological site, landscape feature or settlement) it must exemplify a design, settlement pattern, or other quality that is in itself uncommon locally. An asset that is uniquely characteristic will have a greater degree of rarity. A building could be of considerable age but may not be rare.</p>	<p>The assessment of rarity should take account the asset's distinctiveness. If an asset is very common locally it would not be considered to be rare, whereas if there were limited or no other examples of the type of asset its rarity would be greater. Similar assets at different locations may have a different degree of rarity depending on their context. Rarity will not take account of former inhabitants or uses where these are no longer evident.</p>
<p><b>Architectural or Artistic Interest</b> – For an asset to have a degree of architectural interest it should be a physical representation of a particular style or period of architecture or its design, construction, craftsmanship or decoration should contribute to reinforcing the individual sense of place that is relatively uncommon. Certain architectural or other decorative features may also contribute to its artistic interest (namely creative qualities in its creation or design, composition and material used, and decorative detailing or artistic elements such as sculpture or painting). Assets with architectural interest may not necessarily have artistic interest and vice-versa – an asset does not have to exemplify both. For example a monument or wall may have significant artistic interest as a result of their detailing but have limited architectural element.</p>	<p>An asset with special architectural or artistic interest should be able to demonstrate one or more of the following:-</p> <ul style="list-style-type: none"> <li>• It is individually distinctive within its locality or represents a historic style or era</li> <li>• It is associated with an architect or designer of local importance</li> <li>• It demonstrates a high quality of design, execution and innovation which survives in anything like its original condition or form</li> <li>• Original detailing or materials is associated with a company or organisation of historic local importance</li> <li>• Its architectural or aesthetic characteristics exemplify a historically unique function which survives in anything like its original condition or form</li> </ul>

<p><b>Designed Landscape Interest</b> – For an asset to have designed landscape interest it will be or have an association with a historically planned garden, grounds or open space and will have a particular interest due to their design or social history. These assets may have started as the grounds of private houses or may be public parks or cemeteries. The emphasis for this category is however on the historic ‘design’ of the landscape as opposed to modern enhancements or non-heritage related matters such as planting or botanical importance.</p>	<p>This criterion is relevant where the asset contributes towards the significance of a historically designed landscape.</p>
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**Stage Two – Values that articulate interest/ significance:**

<b>Criteria</b>	<b>How this will be assessed</b>
<p><b>Grouping</b> – For an asset to have grouping value, it will have a clear visual design or historic relationship with other assets (designated or not) within its direct locality. There may be a case for group value occurring within the wider locality if there is clearly a historic relationship between the assets.</p>	<p>The asset should demonstrate that it has a clear visual relationship with other assets of significance within its direct locality (for example importance within the street scene), or it should demonstrate that it has a clear historic relationship with assets within the locality. The greater the number of assets in the group, the more likely it is to meet this criterion. The assessment will also consider whether or not the grouping contributes to a townscape that has been skilfully planned reflecting the landscaping fashions of their day (including consideration of roof scape vista, streets, squares, boundary treatments, street surfaces and street furniture).</p>
<p><b>Archival</b> – For an asset to have archival interest it should be well documented within contemporary or historic written records. The archive should provide a historic context specifically about the asset, beyond a description of basic details or its visual appearance.</p>	<p>Where the historic context of an asset is supported by archive(s) that provide a large amount of detail, in particular in cases where the archival evidence derives from qualified sources it will have archival value. The assessment should be proportionate to the amount of detail that would be reasonably expected for the type</p>

	of asset, however assets supported by little archival detail are unlikely to meet this criteria.
<b>Historical Association</b> – For an asset to have historic association value it should have a clear historic connection of local note, including links to important people or past events. It is highly unlikely that this would apply to assets associated with a living person or events within living memory.	An asset with historical association value should be able to demonstrate that it is associated with a locally important historic figure or event (such as cottage industries) and that the asset retains physical attributes that are of key importance to its historic significance (i.e. re-constructions or land with no remains of the asset will not meet this criteria). Blue Plaque (or similar) schemes may be relevant.
<b>Landmark Status</b> – For an asset to have landmark status, it should have strong communal or historic associations or have an especially striking aesthetic value to be singled out as a central feature or landmark within the local scene.	An asset will only be assessed as having landmark status if it is demonstrably a symbolic feature of the locality above and beyond consideration of other criteria.
<b>Communal Value</b> - For an asset to have communal value, it should be perceived as a historic source of local identity, distinctiveness, social interaction and coherence and contribute to the “collective memory” of a place. The asset may be associated with distinctive communal, commemorative, symbolic or spiritual significance or be associated with locally distinctive cultural heritage such as art, literature, music or film.	An asset will have communal value if it was historically used as a forum for community activity. It may also have communal value if it is associated with a particular social event or the history of a community.

## **4.0. The Impact of Identifying Non-Designated Heritage Assets**

- 4.1.** This section sets out how the identification of a non-designated heritage asset impacts development rights and the requirement for planning permission in instances where development would affect the asset.

### Permitted Development Rights

- 4.2.** The identification of a non-designated heritage asset does not change any of the planning controls affecting its alteration or demolition prior to the requirement for planning permission. Permitted types of development, as specified in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) can still be carried out on non-designated heritage assets without the requirement for planning permission, unless the Council adopts an Article 4 Direction in the future (see below). In cases where prior notification to the Local Planning Authority is required, this does not mean that planning consent will necessarily be required as a result of local listing. However other planning controls will still apply, for example if the asset is located in a Conservation Area many permitted development rights are removed and planning permission for certain works is required. **In all cases, it is advisable that advice is sought from the Council's planning department (contact details on page 15).**

### Planning Permission

- 4.3.** Where planning permission is required for development proposals that directly impact a non-designated heritage asset or its setting, the Council will take into account the relevant planning policies in determining the planning application (summarised in Section 2.0). The key principle is that development proposals will be expected to demonstrate that they conserve and/or enhance the significance of the non-designated heritage asset and that any alterations will be expected to be carried out in a sympathetic manner using high quality design. Any identified harm to the significance of a non-designated heritage asset should be avoided/ mitigated, and such harm will form part of the consideration in determining the planning application.

### Listed Building Consent

- 4.4.** Listed Building Consent is not required for works on a non-designated heritage asset – this type of consent is only required for statutorily listed buildings.

### Landowners

- 4.5.** Through identification on the local list, it is intended that this process will raise general awareness of the importance of locally listed assets and encourage landowners to positively maintain these, in particular in cases where alterations do not require planning permission. Landowners surrounding non-designated heritage assets are equally encouraged to conserve and enhance

the significance of the setting of the asset. The identification of non-designated heritage assets forms a basis for good practice, even in cases where planning permission is not required, and landowners are encouraged to seek advice from the Council's planning department or a heritage expert prior to starting works.

#### Article 4 Direction

- 4.6.** If it is considered necessary to do so in the future, the Council will consider the case for introducing an Article 4 Direction to withdraw permitted development and demolition rights related to non-designated heritage assets. It is most likely that this approach would be taken where non-designated heritage assets fall within Conservation Areas or where assets are considered to be at risk. If an Article 4 Direction is introduced this does not indefinitely prohibit works from taking place, but it does mean that landowners will be required to obtain planning permission prior to carrying out works. At the time of writing an Article 4 Direction of this type has not been adopted in Gedling Borough.

## 5.0 Identification of Nominated Assets

### Sources of Nomination

5.1. Assets will be nominated for assessment to be identified on the local list using the following sources:-

- Local Planning Document (Part 2 Local Plan) – Appendix E of the plan sets out ‘Local Interest Buildings’ which were previously identified in the now superseded Gedling Borough Replacement Local Plan (2005). Paragraph 9.7.4 of the Local Planning Document sets out that this will be the starting point for identifying assets for inclusion on the local list, taking account of changes that have affected the significance of these assets since 2005.
- Neighbourhood Plans – Local communities may nominate assets for assessment through their Neighbourhood Plan. Some Neighbourhood Areas in Gedling Borough have taken this approach.
- Conservation Area Appraisals – Local Planning Authorities have a duty to formulate and publish proposals for the preservation and enhancement of Conservation Areas<sup>6</sup>. Conservation Area Appraisals have been prepared for the six Conservation Areas in Gedling Borough, each of which identifies certain features that make a positive contribution to the character of the area.
- Assets Rejected for National Designation – Assets that have been assessed by Historic England and it has been decided that they are not worthy of national designation. Information published on Heritage Gateway<sup>7</sup>.
- Public Nominations – Individuals, interested groups/ societies and other organisations are invited to nominate assets to be assessed. The Council will undertake an initial public call for nominated sites in 2019 and will continue to welcome nominations on an on-going basis.
- Development Management – Previously unidentified assets that otherwise meet the selection criteria may be brought to the Council’s attention through the Development Management process. On a case-by-case basis, the Council will use the selection criteria to inform planning decisions in relation to non-designated heritage assets that are not yet identified. Assets will be added to the local list accordingly.

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<sup>6</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, Section 71.

<sup>7</sup> <https://www.heritagegateway.org.uk/gateway/>

### Process for Assessment

- 5.2.** An assessment of nominated assets will be undertaken by the Council to establish whether or not the asset is likely to meet each of the selection criteria. Assets that demonstrate that they are likely to meet the selection criteria through this assessment will be identified as non-designated heritage assets and added to the local list.
- 5.3.** Once non-designated heritage assets have been identified, any detailed assessment against the selection criteria would be undertaken by the Council at the appropriate time, such as in an appeal case or through the development management process where it may be required to determine the significance of the asset in detail.
- 5.4.** The local list will include a caveat to state that the list is not exhaustive and that any asset that has been considered likely to meet the selection criteria is considered to be a non-designated heritage asset. Inevitably some assets that demonstrate they are likely to meet the selection criteria will be more important than others, but all of these will be locally listed. The detailed significance of an asset will only be determined at the appropriate time (in accordance with above paragraph) to ensure that the assessment process is flexible and resource-effective.
- 5.5.** Section 6.0 sets out the actions the Council will take when formally adding assets to the local list.

### Review and Monitoring

- 5.6.** The local list will be monitored and updated on an on-going basis to take account of new information that is available about specific assets that justifies its inclusion or removal, or to consider newly nominated assets. This would include reviewing updated Conservation Area Appraisals; reviewing adopted Neighbourhood Plans; and information received through public nomination and the development management process.
- 5.7.** If a nominated asset has been assessed and is not considered to meet the selection criteria, re-assessment will only take place if further information about the asset has come to light that reveals more about the significance of that asset.

## **6.0 Adding to Local List**

- 6.1.** An up-to-date database of non-designated heritage assets will be made available online on the webpage: [www.gedling.gov.uk/heritage-assets](http://www.gedling.gov.uk/heritage-assets)
- 6.2.** As stated in section 5.0, the local list will be reviewed on an ongoing basis reflecting new sources of information. As part of the monitoring process, it may be necessary to remove assets from the local list due to loss of significance in relation to the selection criteria.
- 6.3.** When an asset is added to the local list, the landowners (where known) of non-designated heritage assets will be notified in writing that their building or structure has been added to the local list. The Council will explain why the asset has been identified and the implications of this. It is intended that this proactive approach will better facilitate the conservation and/or enhancement of the non-designated heritage asset.
- 6.4.** The Council will share appropriate information gathered through the assessment of nominated assets with the Nottinghamshire County Council Historic Environment Record (HER)<sup>8</sup> in accordance with data protection requirements. The HER is an important local historic resource and collaboration in this respect will enable the HER to update their records accordingly.

### Appeals Process

- 6.5.** Landowners will have the opportunity to appeal the Council's decision to add (or not add) their asset to the local list, should they feel aggrieved by this decision, and request that the asset is removed from (or included in) the local list. Such appeals should be made in writing no later than 28 days after the decision to identify (or not identify) the asset, and should demonstrate why the asset does not (or does) meet each of the selection criteria set out in section 3.0 of this document. The Chief Executive of the Council will consider the merits of the appeal. Reasons for removal would be that upon further investigation the significance of the asset was found to be less important than was originally thought. Reasons for addition following a Council decision not to include would be that further evidence has been discovered or revealed that proves the asset has greater significance than was originally thought and it will therefore be added to the list. Future plans for alterations will not be accepted as justification for removal from the local list – landowners are advised to read section 4.0 of this document which sets out how local listing impacts their rights in terms of permitted development and the requirement for planning permission.

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<sup>8</sup> <http://www.nottinghamshire.gov.uk/culture-leisure/heritage/historic-environment-record>



### Monitoring

- 6.6.** Policy LPD 31 includes the monitoring indicators ‘number of non-designated heritage assets’ and ‘number and percentage of non-designated heritage assets at risk’. These indicators will be reported annually in Gedling Borough Council’s Authority Monitoring Report<sup>9</sup>.

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<sup>9</sup><https://www.gedling.gov.uk/resident/planningandbuildingcontrol/planningpolicy/amrandfiveyearhousingandsupply/>

### Policy Advice

For further information about non-designated heritage assets and the selection criteria, please contact Planning Policy:

E-mail:	<a href="mailto:planningpolicy@gedling.gov.uk">planningpolicy@gedling.gov.uk</a> ; or
Post:	Planning Policy, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU.
Telephone:	0115 901 3733

### Development Advice

If you intend to do works or have concerns about works taking place on non-designated heritage asset or an unidentified building that may meet the selection criteria please contact Development Management:-

E-mail:	<a href="mailto:developmentcontrol@gedling.gov.uk">developmentcontrol@gedling.gov.uk</a>
Post:	Development Management, Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU.
Telephone:	0115 901 3719