

HISTORIC ENVIRONMENT

Background

5.1 Within the Borough there is a rich heritage of ancient historical sites, buildings and areas of special architectural or historic interest, and a number of historic parks and gardens. They represent an irreplaceable record that contributes to our understanding of both the present and the past.

5.2 Their presence adds to the quality of our lives, by enhancing the familiar and cherished local scene and sustaining the sense of local distinctiveness that is so important an aspect of the character and appearance of our towns, villages and countryside. The historic environment is also of immense importance for leisure and recreation.

National, Regional and Local Planning Objectives

5.3 National planning guidance on the historic environment can be found in PPGs 15 and 16, including the following recommendations:

- Conservation and sustainable economic growth should be seen as complementary rather than opposing objectives
- Early consultation between developers and planning authorities is essential, especially in respect of archaeology
- Historic environments, and especially archaeological remains, are finite, non-renewable resources. In many cases they are highly fragile and vulnerable to damage and destruction, which is often done needlessly and without thought
- There should be clear identification and recording of the historic environment, and the dissemination of this information through, for example, Sites and Monuments Records (SMRs) and Conservation Area Character Statements

PPG15: Planning and the Historic Environment (1994)
PPG16: Archaeology and Planning (1990)

5.4 The statutes upon which the protection and management of the historic environment are based are the Ancient Monuments and Archaeological Areas Act 1979 (as amended) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

5.5 Additional guidance and advice on the management of the historic environment is published by English Heritage, often in topic-based publications – e.g. "Conservation Area Practice: guidance on the management of Conservation Areas".

This Local Plan

5.6 The Local Plan vision refers to providing a high quality of life for all. It recognises the importance of culture as a contributing factor to the quality of life and aims to protect significant features of the historic environment for their cultural, educational and recreational value.

Policies

PROTECTION OF ARCHAEOLOGICAL SITES

Objectives of policy

- To protect sites of known archaeological importance, whether or not they are Scheduled Ancient Monuments, from the adverse impact of development that would affect the feature or its setting
- To ensure that, where there is uncertainty about the archaeological potential of an area, appropriate measures are put in place to record archaeological features which may be discovered as development takes place

5.7 The key resource in assessing the archaeological potential of a proposed development site is the Sites and Monuments Record (SMR), developed and maintained by the Council. Whilst this is not a statutory function, the Council recognises the importance of the SMR and is committed to manage, maintain, enhance and promote the SMR in accordance with government and other professional guidance, ensuring that the data is of high quality and publicly accessible.

5.8 Scheduled Ancient Monuments (SAMs) are designated by the Secretary of State. It is an offence to carry out work affecting a SAM without Scheduled Ancient Monument consent granted by the Secretary of State. Where development affecting a SAM is proposed the Council will require developers to provide a desk based assessment and phased evaluation works to establish the impact of the scheme on the archaeological environment prior to any permission being granted. Any planning permission granted for a proposal affecting a SAM, or an unscheduled archaeological site of known importance, may be restricted by conditions, or subject to a legal agreement providing for archaeological evaluation, investigation, protection or management of areas of archaeological importance preserved in situ. In accordance with PPG16, the developer will pay for such archaeological requirements.

Scheduled Ancient Monuments are identified on the Proposals Map and listed in Appendix HE1

PROTECTION OF ARCHAEOLOGICAL SITES

POLICY HE1

Planning permission will be refused for development proposals that would have an adverse impact upon a Scheduled Ancient Monument or its setting, or unscheduled site of local, regional or national importance or their settings.

Where development is proposed affecting an unscheduled site of known archaeological interest then archaeological investigations will need to be carried out to establish a mitigation and/or excavation strategy prior to development being permitted.

Where development is permitted, consent will be subject to a legal agreement and/or conditions, to ensure that:

- (i) Archaeological remains are preserved in situ; or
- (ii) In appropriate circumstances, provision is made for the evaluation, excavation and recording of below and above ground archaeological remains prior to and during development, followed by post excavation research and publication of the results of the investigation.

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST (LISTED BUILDINGS)

Objectives of policy

- To facilitate the proper maintenance of historic buildings by encouraging them to be put to appropriate economic use
- To avoid the loss of historic fabric, which is a waste of economic, as well as environmental, resources.

5.9 The Secretary of State is responsible for compiling a list of Buildings of Special Architectural or Historic Interest, advised by English Heritage. The responsibility of stewardship of these buildings, however, depends on the owners and users of the buildings as well as central and local government. The best use of an historic building will generally be that for which the building was originally designed. However, assessments of new uses have to balance economic viability against the impact of any changes to the special interest of the building.

5.10 Under the 1990 Act, the Council has a variety of powers for the protection of Listed Buildings; these include the power to require repairs and the power to carry out emergency repairs to unoccupied Listed Buildings.

Planning (Listed
Buildings and
Conservation Areas)
Act 1990 - Sections
48 and 54
respectively

5.11 Proposed alterations to a listed building will be considered in the context of Policy HE4.

BUILDINGS OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST (LISTED BUILDINGS)

POLICY HE2

The Council will exercise its Planning and Listed Building Control powers to safeguard the preservation of Listed Buildings by permitting a change of use where it would contribute to the retention of the building without adversely affecting its character, special interest or structural integrity.

The Council will exercise its concurrent development control powers to ensure or secure the preservation of statutorily listed buildings. Development involving the change of use of listed buildings may be permitted where it would demonstrably contribute towards the restoration, retention or future maintenance of such buildings, without adversely affecting their special architectural or historic interest. Where an application for a change of use will require alterations to a listed building, an application for Listed Building Consent should be submitted at the same time.

DEMOLITION OF A LISTED BUILDING

Objective of policy:

- To minimise the potential loss of Listed Buildings

5.12 The demolition of a Listed Building is rarely necessary and most frequently occurs either through neglect, or from a failure to make imaginative efforts to find a viable alternative use.

5.13 PPG15 sets out clear criteria to use in assessing Listed Building Consent applications involving total or substantial demolition. All such applications must be notified to the national amenity societies and to English Heritage.

DEMOLITION OF A LISTED BUILDING

POLICY HE3

Development requiring the demolition of a listed building will not be permitted unless all the following criteria are met:

- i) It is not possible to continue to use the building for its existing or a previous use
- ii) There is no other viable use for the building
- iii) Demolition would not cause harm to the setting of any other listed building, the character of the street scene or the character of a Conservation Area
- iv) Clear and convincing evidence is provided with the application to show that all reasonable efforts have been made to continue the existing use or find an appropriate new use and that those efforts have failed.

If, exceptionally, permission is granted, it may be made subject to a condition that development (involving demolition) is not to be carried out until all the relevant details have been submitted to and approved by the Council and a binding contract has been let for the subsequent execution of such development

EXTENSION OR ALTERATION OF A LISTED BUILDING

Objective of policy

- To avoid loss of, or damage to, the special interest of the building, for which it has been Listed.

5.14 Listed Buildings can be robbed of their special interest by unsuitable alteration as well as outright demolition. PPG15 provides clear guidance on the assessment of Listed Building Consent applications for alterations and extensions.

See specifically
PPG15 Annex C

5.15 It is generally preferable for related applications for planning permission and Listed Building Consent to be considered at the same time. Applicants for Listed Building Consent are required to submit a justification for their proposals. In order that the impact of proposals on the special interest of the Listed Building may be assessed, applications must include survey drawings as existing, separately from the proposal drawings. Proposal drawings should include clear information as to how Building and Fire Regulation requirements will be met so that the full impact of the proposals on the historic fabric can be assessed before the determination of the application.

EXTENSION OR ALTERATION OF A LISTED BUILDING

POLICY HE4

Development requiring the internal alteration or external extension of a listed building (or buildings) will not be permitted unless:

In relation to external extension - where relevant, the siting, design, external appearance, access to and landscaping of the proposed development would respect the listed building's setting, integrity, character and appearance and would also serve to preserve, restore or complement its features of special architectural or historic interest.

In relation to internal alteration – the development will not adversely affect the building's character or features of special architectural or historic interest.

DEVELOPMENT AFFECTING THE SETTING OF A LISTED BUILDING

Objective of policy

- To preserve an appropriate historic context for individual Listed Buildings.

5.16 The setting of a Listed Building is of great importance to the appreciation of its special interest. Views of the building, and views from it, may be of sufficient importance to refuse planning permission for development proposals in the vicinity of a Listed Building. Where new development is acceptable in close proximity to a Listed Building, it will generally be required to be visually subordinate to that building.

DEVELOPMENT AFFECTING THE SETTING OF A LISTED BUILDING

POLICY HE5

Planning permission will be refused for any form of development that would adversely affect the setting of a listed building or group of listed buildings. This setting may extend well beyond their immediate building curtilage(s) and may include an extensive street scene or a wider urban design context, especially when the application site is located within a designated conservation area.

Applications may need to be advertised under sections 67 or 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and may, in appropriate cases, require the concurrent submission of details relating to the siting, access, design, external appearance and landscaping of the proposed development

CONSERVATION AREAS

Objectives of policy

- To preserve or enhance all the aspects of character or appearance which contribute to the special interest of a designated Conservation Area
- To avoid inappropriate development in Conservation Areas following from the grant of outline planning permission

Conservation Areas are identified on the Proposals Map and listed in Appendix HE6

- To avoid the erosion of the special interest of a Conservation Area through the inappropriate loss of historic fabric.

5.17 The 1990 Act requires local authorities to determine whether any part of their area should be designated a Conservation Area, by virtue of its special architectural or historic interest. There are currently 24 Conservation Areas in the Borough.

5.18 The Council is preparing Conservation Area Character Statements for each of the designated areas, in order to define the special interest which justified its designation. These documents will be used when assessing development proposals affecting Conservation Areas.

5.19 PPG15 provides general guidance on development control in Conservation Areas and this is supplemented in greater detail by the English Heritage guidance, "Conservation Area Practice".

5.20 Separate legislation and procedures cover the actual designation of new Conservation Areas. PPG15 and English Heritage guidance set out clear criteria to use when designating Conservation Areas.

5.21 Designation should not be seen as an end in itself. It should be followed by proposals to enhance the area, which has resource implications for the Council as local planning authority. The Council will consider the following areas for possible designation as Conservation Areas:

1. Little Brickhill
2. Woburn Sands

CONSERVATION AREAS

POLICY HE6

Development proposals within or affecting the setting of a Conservation Area should preserve or enhance the character and appearance of the area.

The criteria used to assess such proposals are set out in English Heritage Guidance on the Management of Conservation Areas (1995); and interpreted in Character Statements for specific Conservation Areas.

Full planning applications will be required for all proposals in Conservation Areas, including detailed plans and elevations showing the new development in its setting.

Conservation consent for demolition will be refused for buildings or features that make a positive contribution to the character and appearance of a Conservation Area, unless the proposed redevelopment would enhance the character of the area.

(Policy HE7 was deleted at the 2nd Deposit stage of the plan adoption).

PROTECTION OF HISTORIC PARKS AND GARDENS

Objectives of policy

- To protect the special interest of registered Historic Parks and Gardens from inappropriate development
- To encourage the informed restoration and management of registered Historic Parks and Gardens.

5.22 English Heritage has compiled a register of Parks and Gardens of Special Historic Interest, currently under review. There are three parks designated in the Borough and identified on the Proposals Map – at Chicheley, Gayhurst and Tyringham. Although no additional statutory controls arise from the inclusion of a site in the Register, the effect of proposed development on a registered park or garden or its setting, is a material consideration in the determination of a planning application. There is also a statutory duty to notify English Heritage and the Garden History Society of relevant applications.

PROTECTION OF HISTORIC PARKS AND GARDENS

POLICY HE8

Planning permission will be refused for development that would adversely affect the special interest of Historic Parks and Gardens identified on the Proposals Map.

The Council will encourage the conservation and / or restoration of their landscape and architectural features where this is based on thorough historic research.