

LOCALLY LISTED HERITAGE ASSETS

Supplementary
Planning
Document

May 2021





CONTENTS

01 INTRODUCTION	4	06 ASSESSMENT PROCEDURE: DETERMINING SUITABILITY FOR THE LOCAL LIST	13	10 ARTICLE 4 DIRECTIONS	17
02 DEFINITION OF A LOCAL HERITAGE ASSET	6	07 RECORDING INFORMATION ABOUT LOCALLY LISTED HERITAGE ASSETS	14	11 SETTING	18
03 PLANNING POLICY CONTEXT	7	08 PROTECTION OF LOCALLY LISTED HERITAGE ASSETS	15	12 OTHER GUIDANCE	19
04 SELECTION CRITERIA	10	09 DEMOLITION	16	13 FURTHER INFORMATION	20
05 IDENTIFYING HERITAGE ASSETS FOR LOCAL LISTING	12				

01

INTRODUCTION



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

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

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



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



Right Cherished local street scene at the Batch, Saltford

Below Historic vernacular building along London Road West, Batheaston

Early C19 County Stand at Bath Race Course.



02

DEFINITION OF A LOCAL HERITAGE ASSET

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

On a national basis, Historic England are the Government's advisory body responsible for the statutory designation of nationally important heritage assets such as listed buildings and scheduled ancient monuments. On occasions buildings identified as locally important may be of national significance too. In such circumstances a statutory designation might result from a nomination.

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

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

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

- Assets capable of beneficial use such as domestic buildings, industrial buildings, agricultural buildings.
- Assets not suitable or viable for beneficial use such as sign posts, boundary walls, paved surfaces, public art installations, community spaces, military infrastructure, sites of archaeological interest.

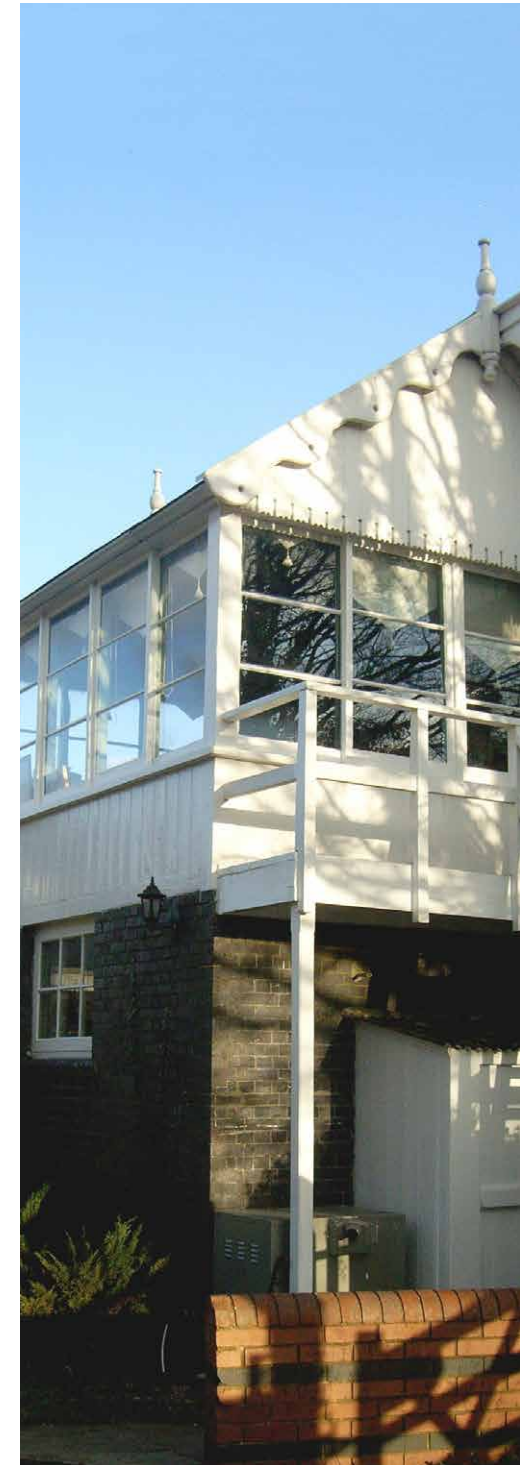


03 PLANNING POLICY CONTEXT

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

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

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



The identification and conservation of local heritage is supported by Central Government in the National Planning Policy Framework (revised 2018):

Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.* (Paragraph 185)

The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect

directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. (Paragraph 135)

National Planning Practice Guidance (revised 2019) advises that:

Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets.

It also states that; Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence.



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

Baroness Andrews

Chair, English Heritage (2009–2013)

Linhay style building in Combe Hay



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

In this context, it can be helpful if local planning authorities keep a local list of non-designated heritage assets, incorporating any such assets which are identified by neighbourhood planning bodies. They should also ensure that up to date information about non-designated heritage assets is included in the local historic environment record.

It specifically provides advice relating to non-designated assets of archaeological importance; *Where an asset is thought to have archaeological interest, the potential knowledge which may be unlocked by investigation may be harmed even by minor disturbance, because the context in which archaeological evidence is found is crucial to furthering understanding.*

Decision-making regarding such assets requires a proportionate response by local planning authorities. Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, it is estimated that following the initial assessment of archaeological interest only a small proportion – around 3% – of all planning applications justify a requirement for detailed assessment.

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

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

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

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

Directions to assist in conserving the local character of a conservation area.

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

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

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

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



Top Belgrave Crescent

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

04

SELECTION CRITERIA

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

On rare occasions an asset identified through this process might be considered to be of such significance to be worthy of consideration by Historic England for statutory designation. For more information on statutory listing please visit;

<https://historicengland.org.uk/listing/apply-for-listing>



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

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



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

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

CRITERION	DESCRIPTION
Age	The age of an asset may be an important criterion and the age range can be adjusted to take into account distinctive local characteristics .
Rarity	Appropriate for all assets, as judged against local characteristics and completeness of the asset as an example of its type.
Aesthetic value	The intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics.
Group value	Groupings of assets with a clear visual, design or historic relationship.
Archaeological interest	The local heritage asset may provide evidence about past human activity in the locality, which may be archaeological – that is in the form of buried remains – but may also be revealed in the structure of buildings or in a man-made landscape.
Historic association	The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures or organisations such as key business people and architects or to artisan or industrial processes which are not documented by names of people.
Archival Interest	The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written or illustrative record.
Designed landscapes	Relating to the interest attached to locally important designed landscapes, parks and gardens and cemeteries.
Landmark status	An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene.
Social and communal value	Relating to places perceived as a source of local identity, distinctiveness, social interaction and coherence; often residing in intangible aspects of heritage contributing to the “collective memory” of a place.

05 IDENTIFYING HERITAGE ASSETS FOR LOCAL LISTING

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

Outside the development management process, heritage assets may be identified by the local planning authority, parish and town councils, amenity societies, local history groups, local residents and members of the public. Anyone can

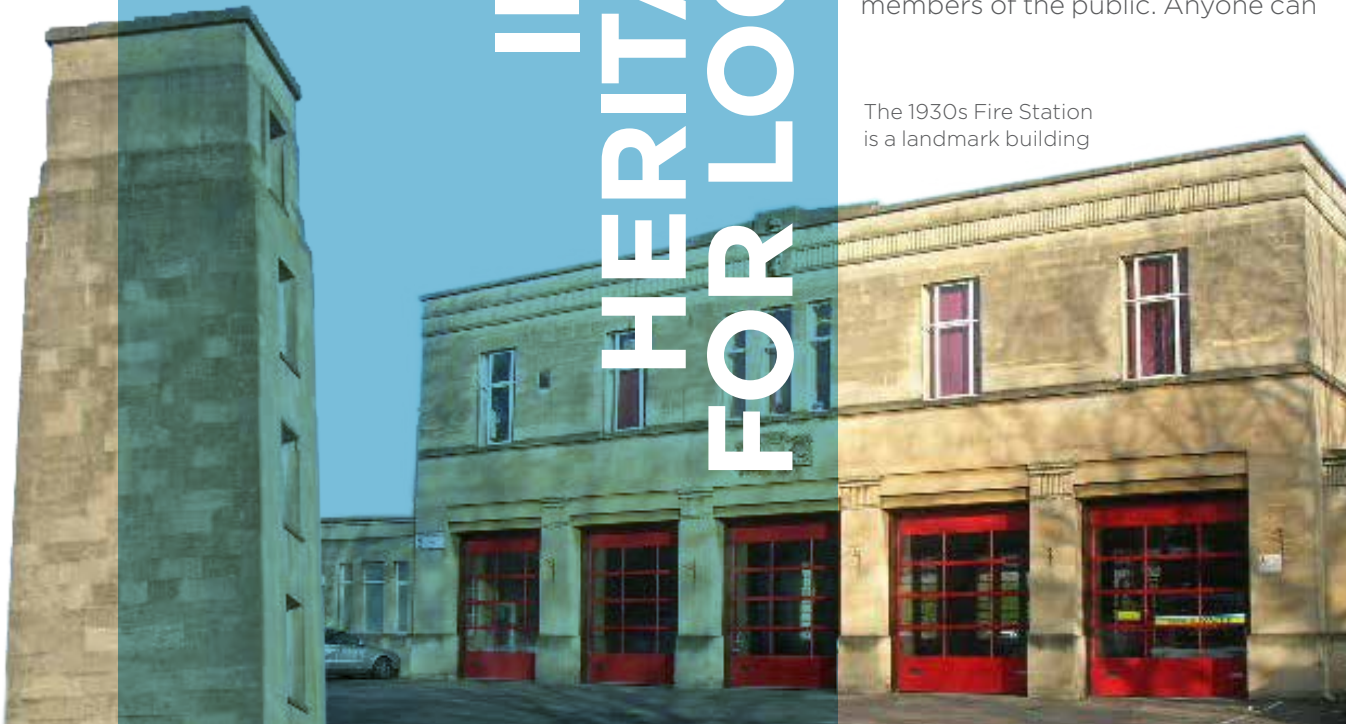
The 1930s Fire Station is a landmark building

nominate assets which meet the criteria, set out in the table on [p11](#) for the local list.

Nominations should include:

- An assessment of the significance of the asset against the selection criteria in the local context. Guidance on significance can be found through this link; <https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12>.
- Location details: Ordnance Survey (OS) grid references and street address, including postcode (where available).
- Photographs: visual recording of the asset from the public realm, concentrating on significant features that contribute towards the assets distinctiveness.
- Evidence that owners of assets which are being nominated have been notified.
- Fee: a fee will be charged for a nomination relating to an asset capable of beneficial use such as a domestic building, industrial building, and agricultural building (even if not in use but where potential conversion may be possible).

An online form supported by a checklist should be used to make nominations. This is available on the Council's web site at www.bathnes.gov.uk.



06

ASSESSMENT PROCEDURE: DETERMINING SUITABILITY FOR THE LOCAL LIST

An asset nominated for the local list will be considered by the Council against the criteria set out in the table on p11.

If not the owner, nominees are required to notify the owner of an asset that they are making a nomination. A nomination will not be validated if the owner has not been notified. All representations will be considered before a recommendation is finalised.

Appropriate ward members, parish and town councils will be notified of nominations (and requests to remove from the list) and within Bath, Bath Preservation Trust and the Chair of the City of Bath World Heritage Site Advisory Board will be similarly notified.

Any decision not to confirm local listing will be explicitly justified/evidenced with reference to the selection criteria. If a nomination is the subject of a current planning application, then it will be considered as part of the process of assessing that application.

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

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

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

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

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



07

RECORDING INFORMATION ABOUT LOCALLY LISTED HERITAGE ASSETS

All buildings, structures, monuments and landscape features identified as locally listed will be recorded on the Council's Historic Environment Record and the data used for development management purposes.

It is possible to view designated local heritage assets on the Council's website online mapping or by looking on the Know Your Place website for Bath and North East Somerset.

The parish online system will also have access to this information; www.pariah-online.co.uk



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

19th Century former Malt House



08

PROTECTION OF LOCALLY LISTED HERITAGE ASSETS

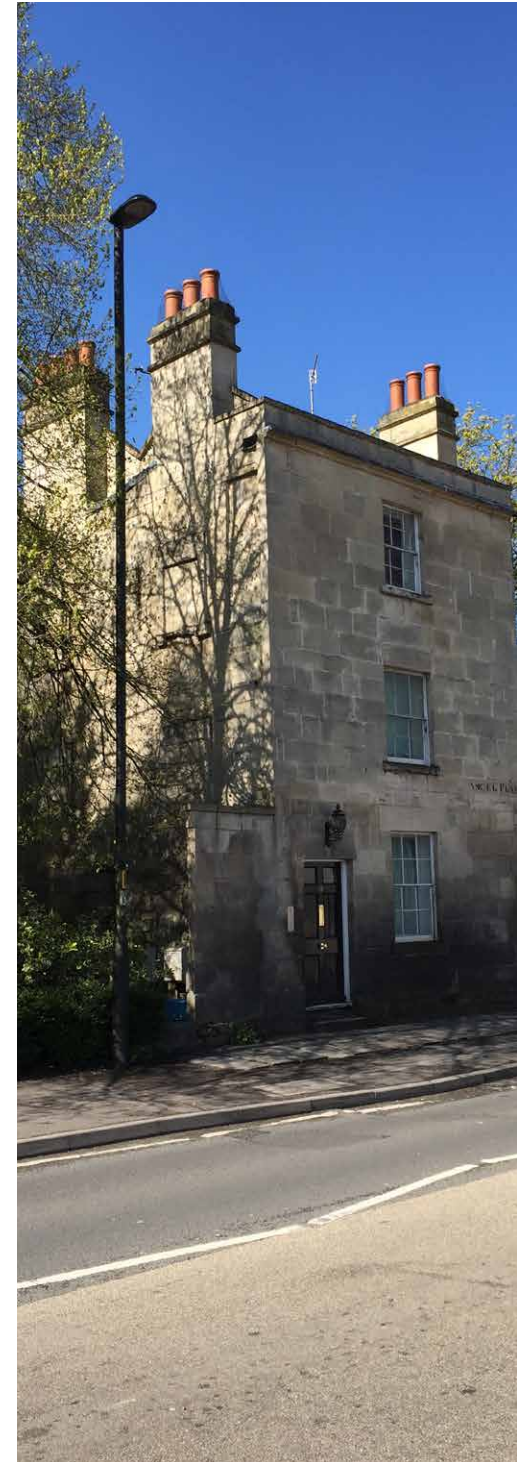
There is no statutory protection for locally listed heritage assets outside conservation areas; however, proposed development, alterations, extensions and changes of use may still require planning permission.

In conservation areas demolition of unlisted buildings and some structures such as walls requires planning permission.

Wherever planning permission is required, the designation of a locally listed heritage asset will be a material consideration in the determination of any planning application which may affect it.

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

Angel Place,
Bath



09

DEMOLITION

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

In terms of sustainability, replacing a building has significant energy, carbon and financial cost implications. The retention of the existing building stock is, therefore, better than replacing, where energy performance is good or can be improved to appropriate levels. Retaining existing buildings and seeking to enhance their energy performance in sensitive ways is in keeping with building conservation, sustainability and progress towards a low carbon society.

St Nicholas School, Radstock



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

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





10

ARTICLE 4 DIRECTIONS

(APPLIES TO BUILDINGS AND AREAS ONLY)

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

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

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

Good example of unaltered building with traditional sash windows.

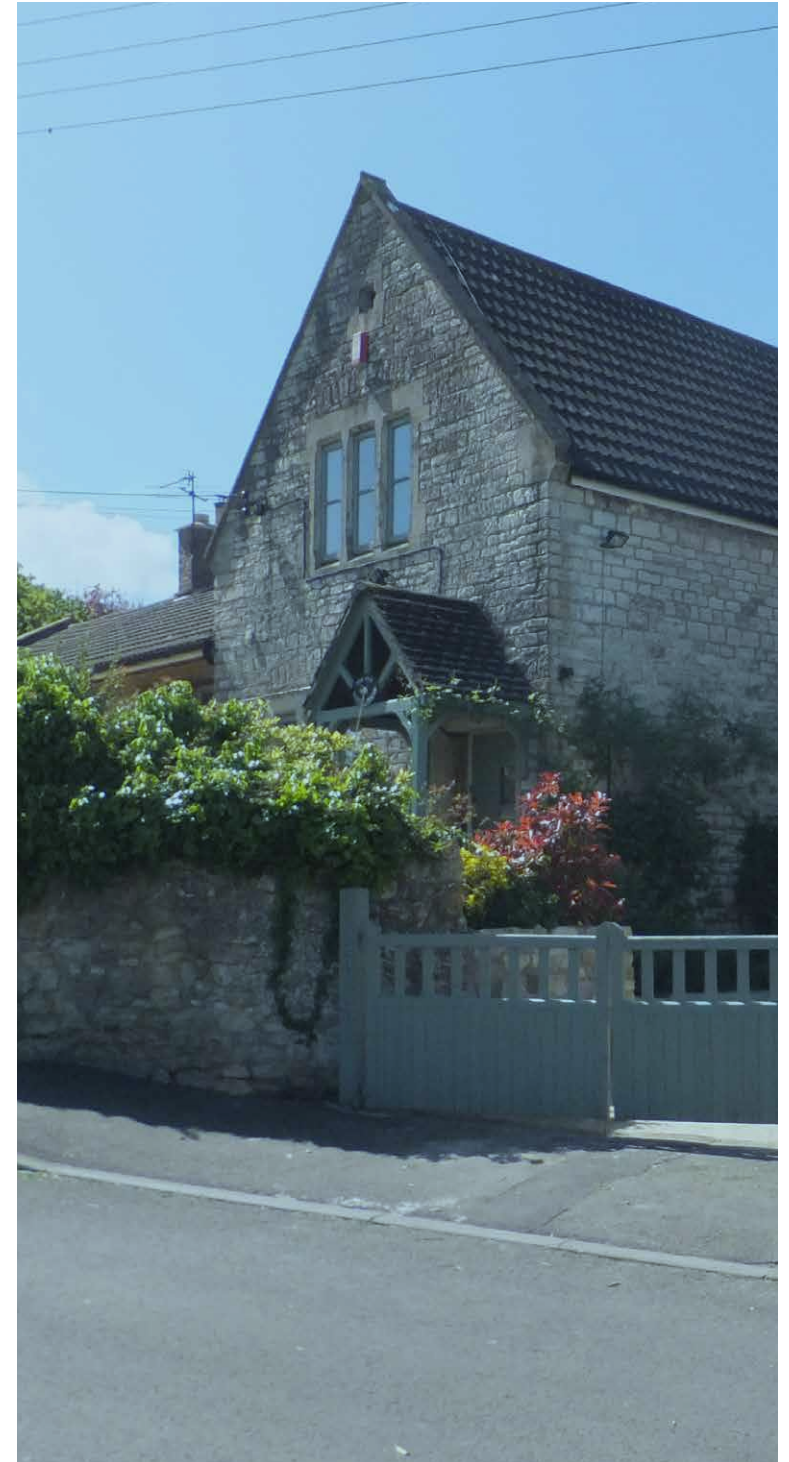
11

SETTING

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

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

Old School House,
Writhlington



Freshford Church
of England
Primary School

12

OTHER GUIDANCE



It is recommended that proposals to alter and repair locally listed assets should be drawn up and carried out by architects, agents, and contractors who have experience in working with historic structures. The following organisations provide guidance and advice relating to conservation and the repair of historic buildings.

Historic England

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

Society for the Protection of Ancient Buildings (SPAB)

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

Georgian Group

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

Victorian Society

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

The Twentieth Century Society

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

Bath Preservation Trust

1 Royal Crescent
Bath BA1 2LR
T: +44 (0)1225 338 727
E: ckay@bptrust.org.uk
www.bath-preservation-trust.org.uk

13

FURTHER INFORMATION

If you are in any doubt about whether planning permission or any other consent is required for the works you wish to carry out, please go online at www.bathnes.gov.uk/planningpermission



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



