

LOCAL PLAN SUB COMMITTEE - 8 AUGUST 2019

PART I – NOT DELEGATED

6. LOCAL PLAN – TOPIC PAPER: HERITAGE AND THE HISTORIC ENVIRONMENT (DCES)

1 Summary

- 1.1 This topic paper sets out the issues which the new Local Plan will need to address in relation to heritage and the historic environment and proposes policy wording to be contained within the new Local Plan.

2 Details

- 2.1 The District's historic environment is not just important for its own sake, but contributes towards the high quality of environment in the District and is an important resource bringing social, cultural, economic and environmental benefits to the community.

- 2.2 The historic environment is a finite and non-renewable resource. Heritage assets and the historic environment should be protected from inappropriate development to sustain and where appropriate enhance their significance, including putting heritage assets into uses consistent with their conservation. The more significant the heritage asset, the greater the presumption for its conservation.

- 2.3 Within Three Rivers, heritage assets which make a positive contribution to the historic environment include

- Designated heritage assets such as Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas, and the setting of these assets;
- Non-Designated heritage assets such as Locally Important Buildings, unregistered historic parks and gardens, and archaeology, and the setting of these assets.

2.4 Scheduled monuments

- 2.5 A Scheduled Monument is an historic building or site that is included in the Schedule of Monuments kept by the Secretary of State for Digital, Cultural, Media and Sport.

- 2.6 A monument is:

- any building, structure or work, whether above or below the surface of the land and any cave or excavation;
- any site comprising the remains of any such building, structure or work of any cave or excavation;
- any site comprising, or comprising the remains of, any vehicle vessel, aircraft or other movable structure provided the situation of that object or its remains in that particular site is a matter of public interest

- 2.7 Monuments are not graded, but all are, by definition, considered to be of national importance.

- 2.8 There are three Scheduled Monuments in Three Rivers:
- Roman Villa on Moor Park Golf Course
 - Oxhey Hall Moated Site
 - The Manor of the More
- 2.9 Applications for development to a Scheduled Monument require scheduled monument consent from the Secretary of State, (not the local planning authority) so are not covered in local plan policies.
- 2.10 Listed Buildings
- 2.11 The Government's List of Buildings of Special Architectural or Historic Interests contains over 352 entries relating to buildings within Three Rivers. These buildings/structures are nationally listed and include historic homes such as Moor Park Mansion and Hunton Park, public houses, ecclesiastical buildings, and structures such as telephone kiosks, statues and bridges including the railway bridge in Railway Terrace, Kings Langley designed by Robert Stephenson for the London and Birmingham Railway Company.
- 2.12 Listed Building Consent is required for demolition or for any alteration or extension to a Listed Building which could affect its character (interiors as well as exteriors) and for works to any fixtures and to buildings or structures within the curtilage of the building. Control over changes to Listed Buildings is not intended to prevent all alterations but to protect the buildings from unnecessary demolition and from unsuitable alterations which would be detrimental to the historical significance of the building.
- 2.13 Historic Parks and Gardens
- 2.14 Historic parks and gardens complement the historic buildings and landscapes of the District and are an important feature of the area. Some are listed on the Historic England Register of Parks and Gardens of Special Historic Interest. Within Three Rivers the grounds at Moor Park Mansion are listed as Grade II* because of their important contribution to the historic, recreational and conservation value of the landscape. Part of Cassiobury Park, which is a Grade II Listed Park, also extends into Three Rivers District.
- 2.15 In addition, there are other unregistered parks and gardens in the District of significance which include Rickmansworth Park, The Grove, Oxhey Grange, Sandy Lodge, Redheath, Micklefield Green and Chorleywood House. Although these currently fall below the threshold for inclusion in the Historic England Register, they are of importance locally and as such their character should be protected from harmful development.
- 2.16 Conservation Areas
- 2.17 In Three Rivers there are 22 Conservation Areas which make a very significant contribution to the character and distinctiveness of the District. These include the settlements around ancient commons such as Croxley Green, Chorleywood and Sarratt; the historic cores of the settlements of Rickmansworth and Abbots Langley; and distinctive areas of 19th and 20th century housing such as Loudwater, Moor Park and Heronsgate; the first Chartist settlement.

- 2.18 Conservation Areas are designated not on the basis of individual buildings but because of the special architectural or historic interest, quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of open spaces. Designation also takes into account the need to protect trees, hedges, walls, railings and other characteristic features. Once designated, special attention must be paid in all planning decisions, to the desirability of preserving or enhancing its character and appearance.
- 2.19 Development within Conservation Areas should conserve or enhance their significance in accordance with national policy requirements and guidance on how significance will be considered is contained in the draft policy.
- 2.20 Locally Important Buildings
- 2.21 There are a large number of other buildings within the District that whilst not of sufficient quality or importance to be nationally listed, make a significant contribution to the local area in terms of their historical and/or architectural characteristics. Currently there are over 250 of these buildings on the Council's List of Locally Important Buildings. Many of these buildings were built in the nineteenth and twentieth Centuries, but all are considered an important part of the District's local heritage.
- 2.22 Archaeology
- 2.23 There are 19 sites of known archaeological significance in the District. As Areas of Archaeological Significance are subject to regular revision, the absence of designation should not be taken to mean that there is no archaeological potential.
- 2.24 It is therefore important that the draft policy requires that proposals on sites which include, or have the potential to include, archaeological interest should be accompanied by an appropriate desk-based assessment, and where necessary a field evaluation.
- 2.25 Enabling Development
- 2.26 Enabling development refers to development which would usually be considered harmful but is considered acceptable because the resulting benefits outweigh the harm.
- 2.27 Where relevant, the Council will need to consider whether the benefits of a proposal for enabling development which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset would outweigh the dis-benefits of departing from those policies.
- 2.28 Strategy for the conservation of the historic environment
- 2.29 The NPPF requires local plans to set out a positive strategy for the conservation and enjoyment of the historic environment and the draft policy aims to protect, conserve and enhance our historic environment and the heritage assets within it.
- 2.30 The strategy will also:
- a) support proposals which conserve and enhance the historic environment

- b) carry out a programme of reviewing existing conservation areas and producing conservation area appraisals to identify what it is about the area that contributes to its significance as well as identifying and considering new areas for designation as conservation areas
- c) support proposals for heritage-led regeneration, ensuring that heritage assets are conserved, enhanced and secured for the future
- d) identify heritage assets that make an important contribution to the local character of the area and update our local list on a regular basis
- e) identify buildings that could be included on the national list and preparing reports to support new listings
- f) identify buildings that are falling into disrepair and work with owners to find new uses to ensure their continued beneficial use.

2.31 The proposed Draft Heritage and the Historic Environment Policy is set out in Appendix 1.

Policy/Budget Reference and Implications The recommendations in this report are within the Council's agreed policy and budgets.

Financial, Legal, Equal Opportunities, Staffing, Environmental, Community Safety, Public Health, Customer Services Centre, Communications & Website, Risk Management and Health & Safety Implications

2.32 None specific.

3 Recommendation

3.1 That the Local Plan Sub Committee note the contents of this report and recommend to the Policy and Resources Committee the Draft Heritage and the Historic Environment Policy as set out in Appendix 1

Report prepared by: Claire May, Head of Planning Policy & Projects

Background Papers

National Planning Policy Framework (2019)

The National Heritage List for England

<https://historicengland.org.uk/listing/the-list/advanced-search-results>

APPENDICES

Appendix 1 Draft Heritage and the Historic Environment Policy

APPENDIX 1

DRAFT HERITAGE AND HISTORIC ENVIRONMENT POLICY

Heritage and the Historic Environment

The historic environment of Three Rivers contains many important heritage assets, both designated and undesignated, which make a significant contribution to the District's character, sense of place and quality of life.

This includes significant buildings, monuments, sites, places, areas and landscape which all add heritage interest to the area and require protection from inappropriate development.

D3 Heritage and the Historic Environment

Protection and Enhancement

- (1) The historic environment will be conserved and enhanced in a manner appropriate to its significance. Development of the highest design quality that will sustain and, where appropriate, enhance the special interest, character and significance of the District's heritage assets and their settings and will make a positive contribution to local character and distinctiveness will be supported.
- (2) Protecting and enhancing the wide range of historic and cultural assets which contribute to the character and identity of the District is a priority including:
 - Designated heritage assets such as Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas, and the settings of these assets;
 - Non-Designated heritage assets such as Locally Important Buildings, unregistered historic parks and gardens, and archaeology, and the settings of these assets.
- (3) Opportunities to promote the historic environment as a key element of the vitality of the District, and to reduce the number of heritage assets at risk will be sought.
- (4) Initiatives and opportunities to mitigate the effects of climate change by seeking the reuse of historic buildings, and where appropriate, their modification to reduce carbon emissions and secure sustainable development will be supported where this would not harm the significance of the heritage asset, its significance or its setting.

Proposals Affecting Heritage Assets

- (5) Applications for development must be supported by a Heritage Statement which demonstrates a clear understanding of the significance of any relevant heritage assets, and details the likely impacts of the proposal on these assets and their significance. Proposals on sites which include, or have the potential to include, archaeological interest should be accompanied by an appropriate desk-based assessment, and where necessary a field evaluation.
- (6) There is a presumption in favour of the retention and enhancement of heritage assets and putting heritage assets to viable and appropriate uses to secure their future protection. Applications will be supported where they sustain, conserve and where appropriate enhance the significance, character and setting of the asset itself and the surrounding historic environment.

(7) The impact of development proposals on the significance of heritage assets and their settings will be considered in accordance with case law, legislation and the NPPF, as well as the following criteria:

Listed Buildings

- (8) Proposals should conserve or enhance Listed Buildings. Applications involving demolition of a Grade II Listed Building will only be granted in exceptional circumstances, and demolition of a Grade I or Grade II* Listed Building will only be granted in wholly exceptional circumstances.
- (9) Extensions or alterations to a Listed Building should not adversely affect its character as a building of special architectural or historic interest, its significance or its wider setting.
- (10) Any change of use of a Listed Building should conserve or enhance its character as a building of special architectural or historic interest and its significance, and should ensure its continued use and viability.

Conservation Areas

- (11) Within Conservation Areas, development will only be permitted if the proposal:
- a) Is of a design and scale that preserves or enhances the character or appearance of the area;
 - b) Uses building materials, finishes, including those for features such as walls, railings, gates and hard surfacing, that are appropriate to the local context;
 - c) Retains historically significant boundaries, important open spaces and other elements of the area's established pattern of development, character and historic value, including gardens, roadside banks and verges;
 - d) Retains and restores, where relevant, traditional features such as shop fronts, walls, railings, paved surfaces and street furniture, and improves the condition of structures worthy of retention;
 - e) Does not harm important views into, out of or within the Conservation Area;
 - f) Protects trees, hedgerows and other significant landscape features and incorporates landscaping appropriate to the character and appearance of the Conservation Area.
- (12) Proposals including solutions to shop front security and/or use of standardised shop front designs, fascias or advertisement displays in a Conservation Area will only be supported if they:
- a) Are sympathetic to the character and appearance of the Conservation Area;
 - b) Respect the scale, proportions, character and materials of construction of the upper part of the building and adjoining buildings, and the street scene in general;

- c) Incorporate traditional materials where the age and character of the building makes this appropriate.

(13) Totally internally illuminated fascias or projecting signs will generally be unacceptable. Applications for additional signs that would result in a proliferation of, or an excess amount of, advertisement material on any individual building or group of buildings will not be supported.

Locally Important Buildings

(14) The retention of Locally Important Buildings is encouraged. Proposals affecting Locally Important Buildings should retain or enhance features of historic or architectural interest.

Historic Parks and Gardens

(15) Proposals should not cause unacceptable harm to historic parks or gardens (both registered and unregistered), their settings or public views into, out of, or within them.

Archaeology

(16) There is a presumption against any harm to Scheduled Monuments and heritage assets with archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments. Where the loss of the whole or a material part of a heritage asset's significance is justified, planning conditions will ensure that an adequate record is made of the significance of the heritage asset and this is published appropriately.

Reasoned Justification

The District's historic environment is not just important for its own sake, but contributes towards the high quality of environment in the District and is an important resource bringing social, cultural, economic and environmental benefits to the community.

The historic environment is a finite and non-renewable resource. Heritage assets and the historic environment will be protected from inappropriate development to sustain and where appropriate enhance their significance, including putting heritage assets into uses consistent with their conservation. The more significant the heritage asset, the greater the presumption for its conservation.

Within Three Rivers, heritage assets which make a positive contribution to the historic environment include

- Designated heritage assets such as Scheduled Monuments, Listed Buildings, Registered Parks and Gardens and Conservation Areas, and the setting of these assets;
- Non-Designated heritage assets such as Locally Important Buildings, unregistered historic parks and gardens, and archaeology, and the setting of these assets.

The significance of a heritage asset is a result of the value of the asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting which is the surroundings in which a heritage asset is experienced. The extent of the setting of a heritage asset is not fixed and may change as the asset and its surroundings evolve. Elements of setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate the significance of the asset or may be neutral.

The conservation and enhancement of heritage assets will be given weight appropriate to the significance of the asset. The Council will seek to identify heritage assets at the earliest opportunity within the decision making process.

Heritage at Risk

Historic England's annual Heritage at Risk Register includes buildings, places of worship, monuments, parks and gardens, Conservation Areas, battlefields and wreck sites that are listed and have been assessed and found to be at risk. However, Grade II Listed Buildings outside of London, other than places of worship are not included.

The Register records condition, occupancy and use, vulnerability, priority actions and trends in condition. The Register currently includes just one entry in Three Rivers at Langleybury House. It notes that proposals for repair are yet to be implemented, and while use of the buildings for filming helps to ensure their protection the implementation of a comprehensive scheme remains desirable.

While Historic England's annual Heritage at Risk Register would only record a Grade II Listed Building in the District as at risk if it was a place of worship, there may be other Grade II Listed Buildings in the area which are at risk as a result of neglect, decay or inappropriate development or are vulnerable to becoming so.

Enabling Development

Enabling development refers to development which would usually be considered harmful but is considered acceptable because the resulting benefits outweigh the harm.

Where relevant, the Council will consider whether the benefits of a proposal for enabling development which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset would outweigh the disbenefits of departing from those policies.

Further guidance on 'Enabling Development and the Conservation of Significant Places' is available at www.historicengland.org.uk.

Listed Buildings

The Government's List of Buildings of Special Architectural or Historic Interests contains over 352 entries relating to buildings within Three Rivers which form an integral part of the District's historic landscape. These buildings/structures are nationally listed and include historic homes such as Moor Park Mansion and Hunton Park, public houses, ecclesiastical buildings, and structures such as telephone kiosks, statues and bridges including the railway bridge in Railway Terrace, Kings Langley designed by Robert Stephenson for the London and Birmingham Railway Company.

Listed Building Consent is required for demolition or for any alteration or extension to a Listed Building which could affect its character (interiors as well as exteriors) and for works to any fixtures and to buildings or structures within the curtilage of the building. Control over changes to Listed Buildings is not intended to prevent all alterations but to protect the buildings from unnecessary demolition and from unsuitable alterations which would be detrimental to the historical significance of the building.

All works to Listed Buildings must conserve or enhance these structures and their significance in accordance with national policy requirements.

Conservation Areas

In Three Rivers there are 22 Conservation Areas which make a very significant contribution to the character and distinctiveness of the District. These include the settlements around ancient commons such as Croxley Green, Chorleywood and Sarratt; the historic cores of the settlements of Rickmansworth and Abbots Langley; and distinctive areas of 19th and 20th century housing such as Loudwater, Moor Park and Heronsgate; the first Chartist settlement.

Conservation Areas are designated not on the basis of individual buildings but because of the special architectural or historic interest, quality of the area, its mix of uses, historic layout, characteristic materials, scale and detailing of open spaces. Designation also takes into account the need to protect trees, hedges, walls, railings and other characteristic features. Once designated, special attention must be paid in all planning decisions, to the desirability of preserving or enhancing its character and appearance.

Development within Conservation Areas should conserve or enhance their significance in accordance with national policy requirements and guidance on how significance will be considered within Policy xx.

The Council will continue with a programme of Conservation Area Appraisals which will assess the existing boundaries, character and important features of the District's Conservation Areas and develop Management Plans. These Appraisals and associated Management Plans will be used as a material consideration when assessing planning applications.

Locally Important Buildings

There are a large number of other buildings within the District that whilst not of sufficient quality or importance to be nationally listed, make a significant contribution to the local area in terms of their historical and/or architectural characteristics. Currently there are over 250 of these buildings on the Council's List of Locally Important Buildings. Many of these buildings were built in the nineteenth and twentieth Centuries, but all are considered an important part of the District's local heritage.

Historic Parks and Gardens

Historic parks and gardens complement the historic buildings and landscapes of the District and are an important feature of the area. Some are listed on the Historic England Register of Parks and Gardens of Special Historic Interest. Within Three Rivers the grounds at Moor Park Mansion are listed as Grade II* because of their important contribution to the historic, recreational and conservation value of the landscape. Part of Cassiobury Park, which is a Grade II Listed Park, also extends into Three Rivers District.

In addition, there are other unregistered parks and gardens in the District of significance which include Rickmansworth Park, The Grove, Oxhey Grange, Sandy Lodge, Redheath, Mickfield Green

and Chorleywood House. Although these currently fall below the threshold for inclusion in the Historic England Register, they are of importance locally and as such their character will be protected from harmful development.

Archaeology

There are 19 sites of known archaeological significance in the District and three Scheduled Monuments. Information and advice about these and other non-designated heritage assets with archaeological interest may be obtained from the historic Environment Unit of Hertfordshire County Council.

The Areas of Archaeological Significance are subject to regular revision, and the absence of designation should not be taken to mean that there is no archaeological potential.

Prospective developers should contact the County Council to obtain the most up-to-date information and establish whether there is potential archaeological interest and establish the need for investigation and evaluation at an early stage.

Proposals on sites which include, or have the potential to include, archaeological interest should be accompanied by an appropriate desk-based assessment, and where necessary a field evaluation.

The NPPF requires us to provide a positive strategy for the conservation and enjoyment of the historic environment and this policy aims to protect, conserve and enhance our historic environment and the heritage assets within it.

We will also:

- a) support proposals which conserve and enhance the historic environment
- b) carry out a programme of reviewing existing conservation areas and producing conservation area appraisals to identify what it is about the area that contributes to its significance as well as identifying and considering new areas for designation as conservation areas
- c) support proposals for heritage-led regeneration, ensuring that heritage assets are conserved, enhanced and secured for the future
- d) identify heritage assets that make an important contribution to the local character of the area and update our local list on a regular basis
- e) identify buildings that could be included on the national list and preparing reports to support new listings
- f) identify buildings that are falling into disrepair and work with owners to find new uses to ensure their continued beneficial use.