Appendix 1:

Heritage Planning Policies and Guidance

1.1 As part of the appraisal process the application proposals for the site should be considered in light of policy and guidance in respect of heritage assets. The statutory duties, national policy and guidance, and regional and local plan policies relevant to proposals on the site are summarised below:

Statutory Duties

The Planning (Listed Buildings and Conservation Areas) Act 1990

1.2 The *Planning (Listed Buildings and Conservation Areas) Act 1990* provides that listed building consent is required for;

> *'(s.7) … any works for the demolition of a listed building or for its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest …'*

1.3 In determining such applications the following duty is placed upon the decision maker:

> *'s.16(2) In considering whether to grant listed building consent for any works the local planning authority, or as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'*

1.4 With regard to applications for planning permission within conservation areas, the *Planning (Listed Buildings and Conservation Areas) Act 1990* outlines in Section 72 that:

> *'s.72(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'*

National Policy and Guidance

PPS5: Planning for the Historic Environment, 2010

1.5 *PPS5: Planning for the Historic Environment* was issued on 23 March 2010 and replaces both *PPG15 and PPG16*. *PPS5* provides a full statement of Government planning policies with regard to the protection of all heritage assets. In this, *PPS5* is

supported by an accompanying *Historic Environment Planning Practice Guide*, which provides further information on how the policies set out in the PPS should be implemented.

1.6 Importantly *PPS5* sets out the level of information that would be required in support of applications affecting heritage assets. Policy HE6 states:

> *'Local planning authorities should require an applicant to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance … (HE6.1)*
>
> *This information together with an assessment of the impact of the proposal should be set out in the application …' (HE6.2)*

1.7 Policy HE7 sets out the policy principles guiding the determination of applications affecting designated and non-designated heritage assets, and states that:

> *'In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations. This understanding should be used by the local planning authority to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposals.' (HE7.2)*

1.8 And goes on to say that:

> *'Local planning authorities should take into account:*
>
> - *the desirability of sustaining and enhancing the significance of heritage assets, and of utilising their positive role in place-shaping; and*
> - *the positive contribution that conservation of heritage assets and the historic environment generally can make to the establishment and maintenance of sustainable communities and economic vitality by virtue of the factors set out in HE3.1 (HE7.4)*
>
> *Local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use.' (HE7.5)*

1.9 With regard to applications affecting designated heritage assets, Policy HE9 states:

'There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be.' (HE9.1)

1.10 With regard to applications affecting the setting of a designated heritage asset, Policy HE10 states:

'… local planning authorities should treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset …' (HE10.1)

1.11 With regard to understanding the significance and special interest of the listed building, para. 19 of the *Historic Environment Planning Practice Guide* states that:

'The basic criterion for listing a building is that it must hold special historic or architectural interest … All of these criteria have two components: the nature of the interest or significance that defines the designation and the relative importance of that interest or significance. Significance, as defined in the PPS, encompasses all of the different interests that might be grounds for designating a heritage asset. The principles of selection for both listed buildings and scheduled monuments are published by DCMS.'

1.12 The *Department of Culture, Media and Sport Circular: Principles of Selection for Listing Buildings (March 2010)* sets out the general criteria for assessing the special interest of a building in paras. 9 and 10, as below:

'Architectural Interest. To be of special architectural interest a building must be of importance in its architectural design, decoration or craftsmanship; special interest may also apply to nationally important examples of particular building types and techniques (e.g. buildings displaying technological innovation or virtuosity) and significant plan forms;

Historic Interest. To be of special historic interest a building must illustrate important aspects of the nation's social, economic, cultural, or military history and/or have close historical associations with nationally important people. There should normally be some quality of interest in the physical fabric of the building itself to justify the statutory protection afforded by listing.

10. When making a listing decision, the Secretary of State may take into account the extent to which the exterior contributes to the architectural or historic interest of any group of buildings of which it forms part. This is generally known as group value. The Secretary of State will take this into account particularly where buildings comprise an important architectural

or historic unity or a fine example of planning (e.g. squares, terraces or model villages) or where there is a historical functional relationship between a group of buildings. If a building is designated because of its group value, protection applies to the whole of the property, not just the exterior.'

1.13 In addition to the criteria and general principles set out in the *Circular*, a number of Selection Guides for different building types have been published by English Heritage. These *Selection Guides* provide further information regarding each building type, and demonstrate what features are considered significant and likely to make a building of special architectural or historic interest when assessing each building type. These guides are linked to the general principles contained in *PPS5* and are supplementary to these principles.

Local Policy and Guidance

1.14 Para. 110 of the *Historic Environment Planning Practice Guide to PPS5* outlines that there is no statutory requirement to have regard to the provisions of the development plan in the consideration of applications for listed building consent. However, it is likely that the objectives of national policy and the development plan, with regard to the protection of heritage assets, will be closely aligned. Local authorities should also ensure that aspects of conservation policy that are relevant to development control decisions are included in the development plan.

Derby and Derbyshire Joint Structure Plan, 2001

1.15 The *Derby and Derbyshire Joint Structure Plan* was adopted in January 2001 this being superseded by the East Midlands Regional Plan in May 2008. The Government has announced its intention to abolish Regional Spatial Strategies and reform the planning system under the Decentralisation and Localism Bill, announced as part of the Queen's Speech on 25th May 2010.

High Peak Local Plan, March 2005

1.16 The *High Peak Local Plan* was adopted in March 2005. Under the *Planning and Compulsory Purchase Act 2004* a number of the policies contained within the Local Plan 2005 were initially "saved" for a period of 3 years, and again saved beyond 31st

March 2008, until such time as they are superseded by the emerging *Development Plan Documents* of the Local Development Framework.

1.17 The "saved" Local Plan policies considered to be most relevant to the proposals, relating to affect on heritage assets, are set out below.

1.18 Policy 20 (BC5) sets out that development within or directly affecting conservation areas will be required to preserve or enhance their character or appearance. It goes on to state that siting, design scale and external finishes of development must preserve or enhance this character. It also confirms that development will not normally be permitted if it would impair important open spaces, trees, street scenes and views into and out of conservation areas.

1.19 Policy 22 (BC7) relates to alterations and extensions to listed buildings, it sets out that permission will not be granted unless the proposed works protect the form character and integrity of the subject asset with proposals respecting the special architectural or historical character of the existing building.

1.20 Policy 23 (BC8) makes reference to development which affects the setting of a listed building, it confirms that consent will not be permitted for development which would materially harm the setting of a listed building due to its materials, scale, size or siting.

Local Development Framework: Development Plan Documents: Core Strategy, 2010

1.21 The *Derbyshire Dales and High Peak Joint Core Strategy DPD* was published for public consultation during June 2010, as part of the emerging Local Development Framework for High Peak. Strategic Objectives 2,3 &4 emphasise the importance of built heritage, design and protection of the character and appearance of settlements within the area. Core Strategy Policy CS6 relates to the built environment and confirms that protection should be afforded to heritage assets.

Supplementary Planning Documents, Guidance and Other

Glossop Conservation Area Character Appraisal (LDF3), March 2006

1.22 The *Glossop Conservation Area Character Appraisal was* adopted on 9th March 2006. It was prepared in order identify the special architectural and historic interest of the area, describe its character and appearance, and promote opportunities for the preservation or enhancement of that character.