

MEMO

**North
Lincolnshire
Council**

TO: Nick Salt, DEVELOPMENT MANAGEMENT
FROM: EDDIE RYCHLAK, CONSERVATION OFFICER
REF: PA/2021/330 and 203
DATE: 29/03/2021

SUBJECT: Planning Permission and Listed Building Consent to replace existing timber windows and doors to the rear of the property 17 Priestgate, Barton Upon Humber

PARISH: Barton

SUMMARY OF ADVICE

No objection

The windows to the rear of the property are modern timber casement and mock sash windows. The replacement windows are of a similar form and there will be little change to the character of the building. The windows are made from timber and have a traditional appearance and are acceptable in this instance. They are of a similar construction which will create a uniform appearance. The submitted details are acceptable.

HISTORIC ENVIRONMENT RECORD (HER) FUNCTION: To hold, maintain, interpret and manage heritage information, enhancing the understanding of the area's historical development as a distinctive and attractive place. HER information provides source material for interpretation by heritage professionals and for use by community groups and individuals. The HER database is updated as new information about the historic environment is discovered.

The HER also provides advice on development proposals that affect, or may affect, the sites and settings of all heritage assets i.e. designated and non-designated historic buildings, archaeological sites and monuments, and historic places, areas and landscapes. This advice is provided against saved local plan policies and national historic environment policies. See <https://www.northlincs.gov.uk/planning-and-environment/historic-environment-and-conservation/>

DETAILED ADVICE: Thank you for consulting the HER on this

HERITAGE POLICY

Section 66 of the Planning (Listed Buildings & Conservation Areas Act) 1990 imposes a “General duty as respects listed buildings in exercise of planning functions.” Subsection (1) provides: *In considering whether to grant planning permission for development which affects a listed building or its setting, 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*

HE5 – Development affecting Listed Buildings

The Council will seek to secure the preservation, restoration and continued use of buildings of special architectural or historic interest. When applications for planning permission relating to a listed building or listed building consent are being assessed, the primary consideration will be the need to preserve or enhance the fabric and character of the building. Permission or consent will not be granted unless it has been demonstrated that the proposed works would secure this objective. The Council will encourage the retention and restoration of the historic setting of listed buildings. Proposals which damage the setting of a listed building will be resisted. Whenever appropriate, proposals which would entail the loss of historic fabric from a listed building will be conditional upon a programme of recording being agreed and implemented.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places General duty as respects conservation areas in exercise of local authorities in exercise of planning functions

*In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of] 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***

HE2 - Development in Conservation Areas

All development proposals in, or which affect the setting of, Conservation Areas should preserve or enhance the character and appearance of the area and its setting.

The following criteria will be applied in determining applications for development in Conservation Areas:

i) development should be of a standard of design which respects the appearance and character of the Conservation Area in terms of its bulk, height, mass, vertical and horizontal emphasis, proportions, layout, siting, landscaping

CS5: DELIVERING QUALITY DESIGN IN NORTH LINCOLNSHIRE

All new development in North Lincolnshire should be well designed and appropriate for their context. It should contribute to creating a sense of place. The council will encourage contemporary design, provided that it is appropriate for its location and is informed by its surrounding context. **Design which is inappropriate to the local area or fails to maximise opportunities for improving the character and quality of the area will not be acceptable.**

New development in North Lincolnshire should:

- **Contribute towards creating a positive and strong identity for North Lincolnshire by enhancing and promoting the image of the area through the creation of high quality townscapes and streetscapes.**
- Ensure it takes account of the existing built heritage from the earliest stages in the design process, in particular terms of scale, density, layout and access.

CS6: HISTORIC ENVIRONMENT

The council will promote the effective management of North Lincolnshire’s historic assets through:

- Safeguarding the nationally significant medieval landscapes of the Isle of Axholme (notably the open strip fields and turbaries) and supporting initiatives which seek to realise the potential of these areas as a tourist, educational and environmental resource.
 - Preserving and enhancing the rich archaeological heritage of North Lincolnshire
 - Ensuring that development within Epworth (including schemes needed to exploit the economic potential of the Wesleys or manage visitors) safeguards and, where possible, improves the setting of buildings associated with its Methodist heritage.
 - Ensuring that development within North Lincolnshire's Market Towns safeguards their distinctive character and landscape setting, especially Barton upon Humber, Crowle and Epworth.
- The council will seek to protect, conserve and enhance North Lincolnshire's historic environment, as well as the character and setting of areas of acknowledged importance including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains.
- All new development must respect and enhance the local character and distinctiveness of the area in which it would be situated, particularly in areas with high heritage value.

Development proposals should provide archaeological assessments where appropriate.

DS1 - General

Requirements

A high standard of design is expected in all developments in both built-up areas and the countryside and proposals for poorly designed development will be refused. All proposals will be considered against the criteria set out below:

Quality of Design

- The design and external appearance of the proposal should reflect or enhance the character, appearance and setting of the immediate area; and
- the design and layout should respect and where possible retain and/or enhance the existing landform of the site.

Setting

The setting of a heritage asset is defined as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.

Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.'

Historic England have produced a document called the The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) which describes an approach to assess the impact on the setting and significance of Heritage Assets

Step 1: Identify which heritage assets and their settings are affected

Step 2: Assess the degree to which these settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated

Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance or on the ability to appreciate it

Step 4: Explore ways to maximise enhancement and avoid or minimise harm

Step 5: Make and document the decision and monitor outcomes

Significance NPPF Definition

The value of a heritage 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. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance.

Annex 2: Glossary, National Planning Policy Framework, Department of Communities and Local Government, 2012

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Conservation Principles offers a methodology for systematic and consistent approaches to assessing significance and heritage values. Four key categories are referred to which are at slight variance to those set out in the NPPF definition of significance they are:

- Evidential value: the potential of a place to yield evidence about past human activity.
- Historical value: the ways in which past people, events and aspects of life can be connected through a place to the present - it tends to be illustrative or associative.
- Aesthetic value: the ways in which people draw sensory and intellectual stimulation from a place.
- Communal value: the meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

Policy 189 of the NPPF states that ***'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.'*** and ***'Where a site on which development is proposed includes or has the potential to include heritage assets of archaeological interest, local planning authorities should require developers to submit an appropriate desk based assessment and, where necessary, a field evaluation.'***

Where such assessment shows that the significance of heritage assets will be adversely affected by the proposals, then consideration should be given to drawing up appropriate mitigation measures to conserve them (NPPF 129). This may include avoiding or minimizing disturbance to assets and areas of significance, if necessary by modifying the layout and/or design of the proposals.

This information allows the planning authority to make an informed and reasonable decision in line with the core sustainability principles of the NPPF, as well as local planning policies that include policy CS6 of the North Lincolnshire Core Strategy. This policy states ***'The council will seek to protect, conserve and enhance North Lincolnshire's historic environment as well as the character and setting of area of acknowledged importance including historic buildings, conservation areas, listed buildings (both statutory and locally listed), registered parks and gardens, scheduled ancient monuments and archaeological remains....Development proposals should provide archaeological assessments where appropriate.'***

Effects of an application on designated and non-designated heritage assets alike are a material consideration and local planning authorities are directed to have regard to the scale of any harm or loss and the significance of the heritage asset when judging the planning balance (NPPF 184-202).

Paragraph 192 guides local planning authorities to take account of ***'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.'***

Paragraph 194 sets out that ***'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'***

The NPPF defines the setting of a heritage asset as ***'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve.'***

Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

Paragraph 195 of the NPPF describes how applications that would lead to substantial harm to or total loss of significance of a designated heritage asset should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefit. Paragraph 196 of the NPPF directs that less than substantial harm should also be weighed against the public benefits of the proposal.

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 197 states that ***‘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.’***

Paragraph 198. Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.

Paragraph 200 relates to proposals for new development within the setting of heritage assets, stating that proposals that ***‘preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably’***.