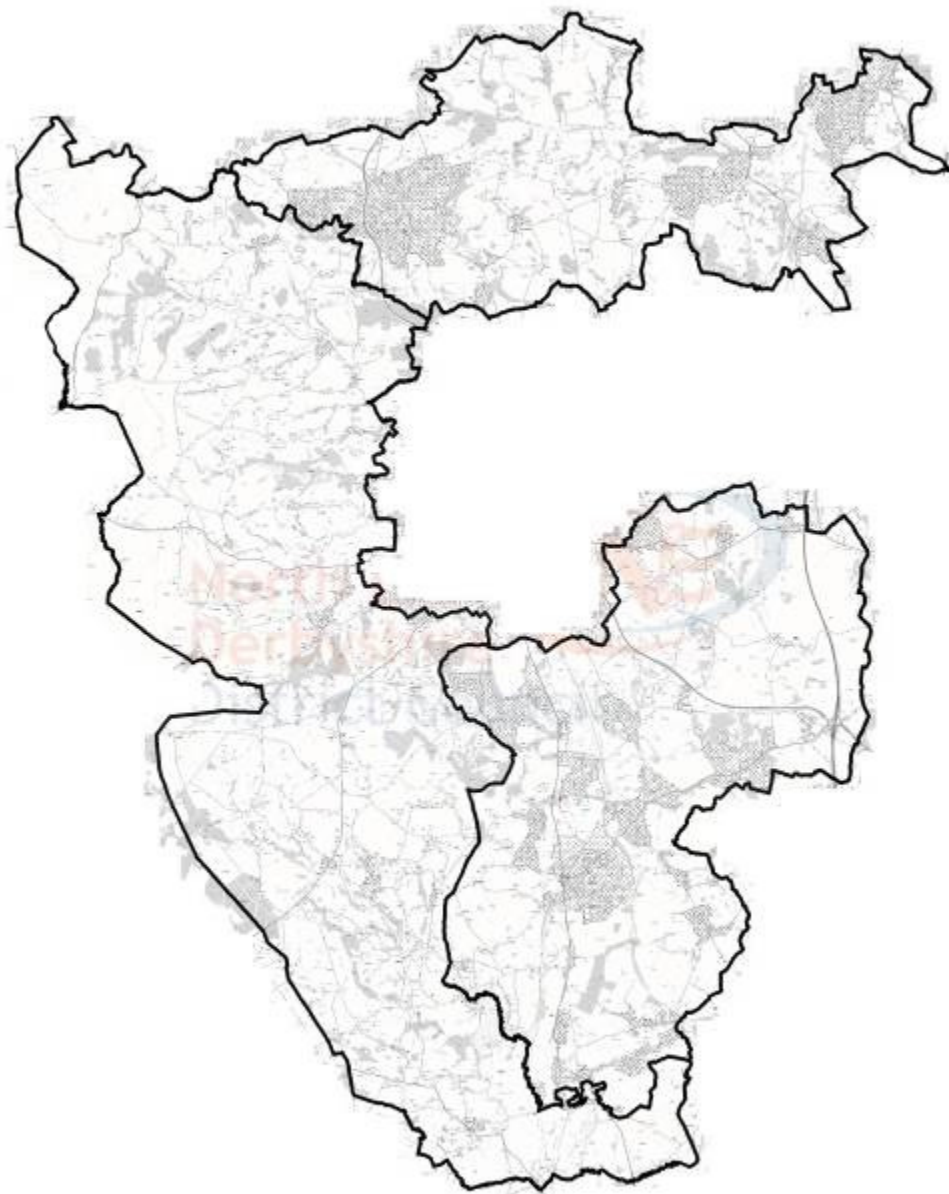


Historic Environment Study

Conclusions and Recommendations

November 2012 Final Draft



Copyright Data Protection Notice

The maps contained in this document are for viewing only as they contain data supplied by Ordnance Survey and are therefore protected by copyright law. Use of this data is subject to terms and conditions:

- “You are granted a non-exclusive, royalty free, revocable licence solely to view the Licensed Data for non-commercial purposes for the period during which North East Derbyshire District Council makes it available;
- you are not permitted to copy, sub-license, distribute, sell or otherwise make available the Licensed data to third parties in any form; and
- third party rights to enforce the terms of this licence shall be reserved to Ordnance Survey.”

By opening this .pdf document you are agreeing to the terms and conditions.

Contents	Page
Copyright Data Protection Notice	2
Contents.....	3
List of Figures.....	4
Introduction	5
1. Conclusions from Character Area Documents	7
2. Historic Environment Planning Policy Context 2012	13
3. Future Local Policy Recommendations.....	16
4. Historic Environment Strategic Policy Recommendations.....	18
5. Appendices.....	22
Appendix A 2012 National Planning Policy Framework	23
Appendix B 2012 Historic Environment Regional Policy Framework.....	35
Appendix C 2012 Historic Environment Local Planning Policy Framework.....	36

List of Figures

Figure 1 The Heritage Assets within the Rural West 7
Figure 2 Heritage Assets within the Transitional South..... 9
Figure 3 Heritage Assets in the Rural West 11

Introduction

During the course of 2012 a desktop assessment of the Historic Environment was undertaken for the District of North East Derbyshire. These studies are available to view as:

1. The Historic Environment Study: District Overview
2. The Historic Environment Study Chapter 1: The Constrained North
3. The Historic Environment Study Chapter 2: The Transitional South
4. The Historic Environment Study Chapter 4: The Rural West

This final part is The Historic Environment Study: Conclusions and Recommendations which seeks to highlight the primary findings of the above work. The conclusions of each chapter are set out below. This is followed by an assessment of the existing National, Regional and Local Policy Framework.

This work has been undertaken to inform the emerging Local Plan and seeks to make recommendations to provide a clear, up to date and relevant policy framework for the protection and enhancement of the historic environment of North East Derbyshire.

The historic environment of North East Derbyshire relates strongly to the neighbouring towns of Bolsover and Chesterfield and the larger Derbyshire, Nottinghamshire and Yorkshire coalfields. The underlying geological characteristics of this area have resulted in much of the significant industry and settlement that remains apparent today.

This significance is evidenced in the County-wide Landscape Character Assessment and Historic Landscape Characterisation work as well as throughout the Historic Environment Records. However the historic environment holds different values to different groups who will bring different concepts, analyses and value judgements on what is significant about the historic environment of North East Derbyshire. It is never viewed as the historic environment of North East Derbyshire in isolation but it remains part of and will always be viewed in the context of the wider Derbyshire Landscape. There can be, therefore, no single definitive statement about the special character and significance of the historic environment of North East Derbyshire without relating it to the wider landscape.

However, it is important that there is a mechanism, within the Local Plan, which can provide a view of the special character and significance of the district. This final part of the above series sets out to consider the existing evidence, as set out in the 2012 Historic Environment Study, and how this evidence is translated into our understanding of the District's special qualities and its complex history.

1. Conclusions from Character Area Documents

The Constrained North Key Messages

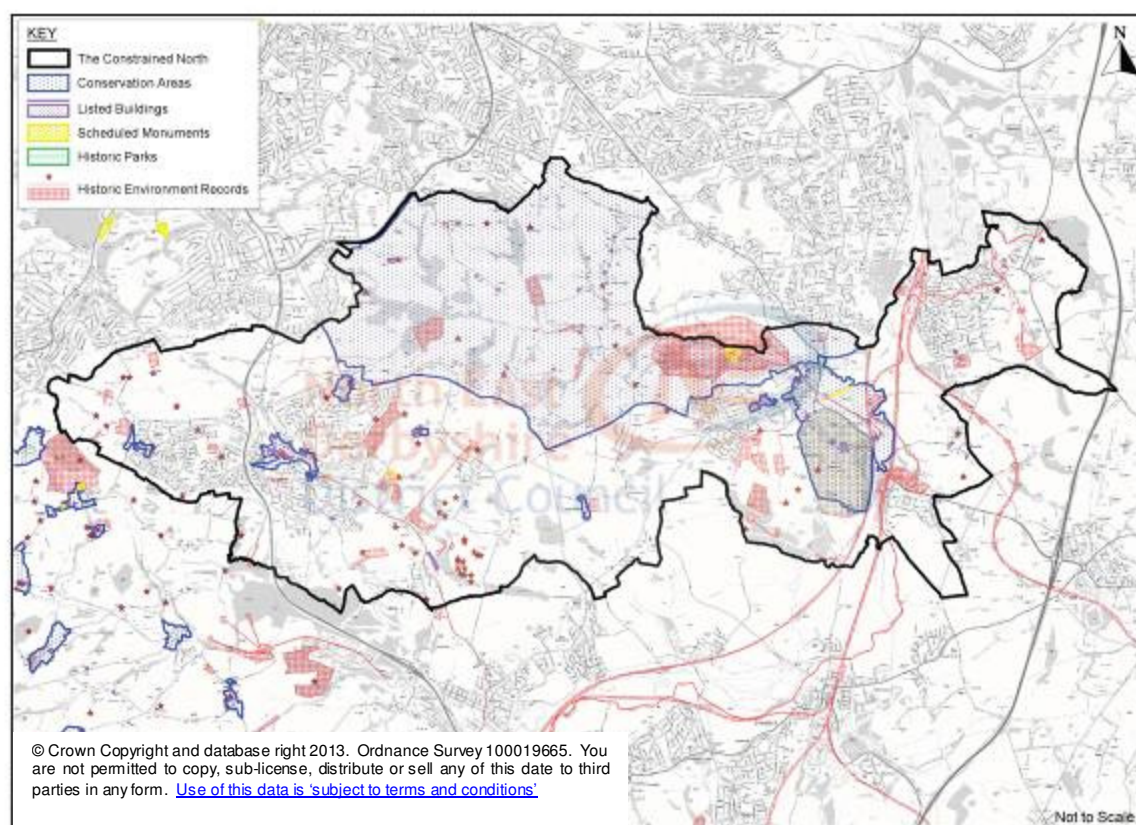


Figure 1 The Heritage Assets within the Rural West

1.1 The historic built environment is well preserved and local materials are prevalent in buildings with a strong use of local building stone in particular. The landscape of the constrained north outside the settlements, retains historic field patterns and historic woodlands that are characteristic of its industrial past. The wealth of Listed Buildings, Conservation Areas, Historic Environment Records and ancient parts of the Historic Landscape Characterisation pertain to this.

1.2 With three of the four main towns, this area has the potential to enhance its retail draw centred on the historic core of its town centres. In historic towns there are many 'gap' sites that would have originally been filled with usable frontage development; many are used as convenient car parking which can have a negative impact upon the image of a place. The positive use of such site will assist in reinforcing the original and often medieval street patterns of this area.

1.3 Historic buildings should be retained and re-used in preference to demolition. Any redevelopment that is proposed in conservation areas, to fill 'gap' sites for example, should seek to provide a fine grain of development with mixed use and mixed tenure rather than large scale comprehensive schemes. The connection to its

early industrial heritage, with the forges and foundries, railways, canals and collieries remains a strong characteristic of this area. Such routes could be improved and utilised to link places and encourage walking and cycling along heritage trails.

1.4 All historic settlements should be assessed for declining heritage assets. Up-to-date records of documented changes enable pro-active management. This would require an annual or regular update of not less than every 4 years, to ensure the Council could respond to negative changes in a timely manner.

1.5 A distinctive characteristic, in contrast to the south of the district, is the age of the northern towns. Dronfield and Eckington in particular retain, at their heart, a medieval network of streets and a wealth of pre-19th Century development. The predominant building material is stone. It has been identified that both Dronfield and Eckington have a number of 'gap' sites that would have previously been built on. These gaps reduced the definition of historic street patterns. In order to address this sites should be clearly identified in any Conservation Area Assessment. It is recommended that when such sites come forward for redevelopment they are given favourable consideration where development is of an appropriate design that reinforces historic routes and patterns of development.

1.6 The land to the south and east of Eckington is identified as an important and multi-designated heritage asset. Parts of this landscape that fall outside of any specific designation could be subject of future development. It is important that any sensitive areas are identified and that development takes into account the importance of the setting of Renishaw Hall and its setting.

The Transitional South Key Messages

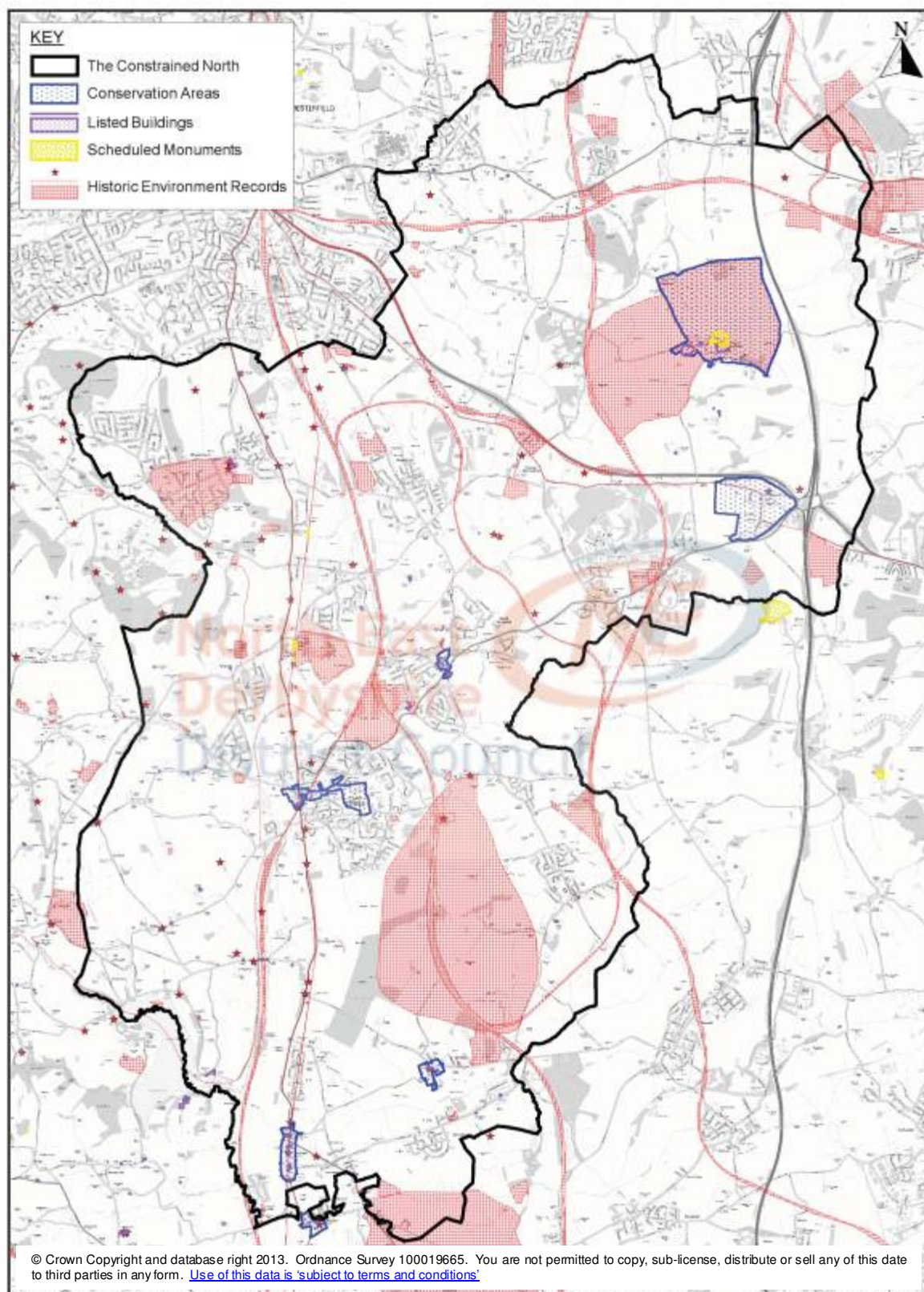


Figure 2 Heritage Assets within the Transitional South

1.7 At the heart of this area is the town of Clay Cross. The recently adopted Clay Cross Conservation Area highlights the importance of its 19th Century development associated with George Stephenson and the Clay Cross Company. Whilst there are pockets of significantly older development the settlements around this area rapidly

expanded during this period. In contrast to the constrained north, this area saw widespread development following the expansion of the railways. This provided alternative sources of building materials and as such the use of brick with stone detailing, is more apparent as a building material.

1.8 With the loss of the coal mining industry and the redevelopment of colliery sites there is now little evidence of the physical industry in the landscape. Industry does form part of many towns such as Clay Cross, Holmewood, North Wingfield and Wingerworth but these are purpose-built industrial estates and not historically significant. The characteristic buildings and structures associated with the coal mines of the 19th Century now only remain in the fragmentary pit-head wheels that serve as a reminder of the past.

1.9 With the exception of older settlements in the south the significant heritage elements of this area are the workers' villages, terraces and civic buildings that have been preserved and continue to define settlements.

1.10 To the south in the Parish of Shirland and Higham the characteristics of the built environment change significantly and are more closely related to the characteristics of the rural west. Buildings are constructed of local sandstones and there is a finer grain of development, with historic street patterns and a higher density of historic buildings particularly in Higham and parts of Shirland.

The Rural West Key Messages

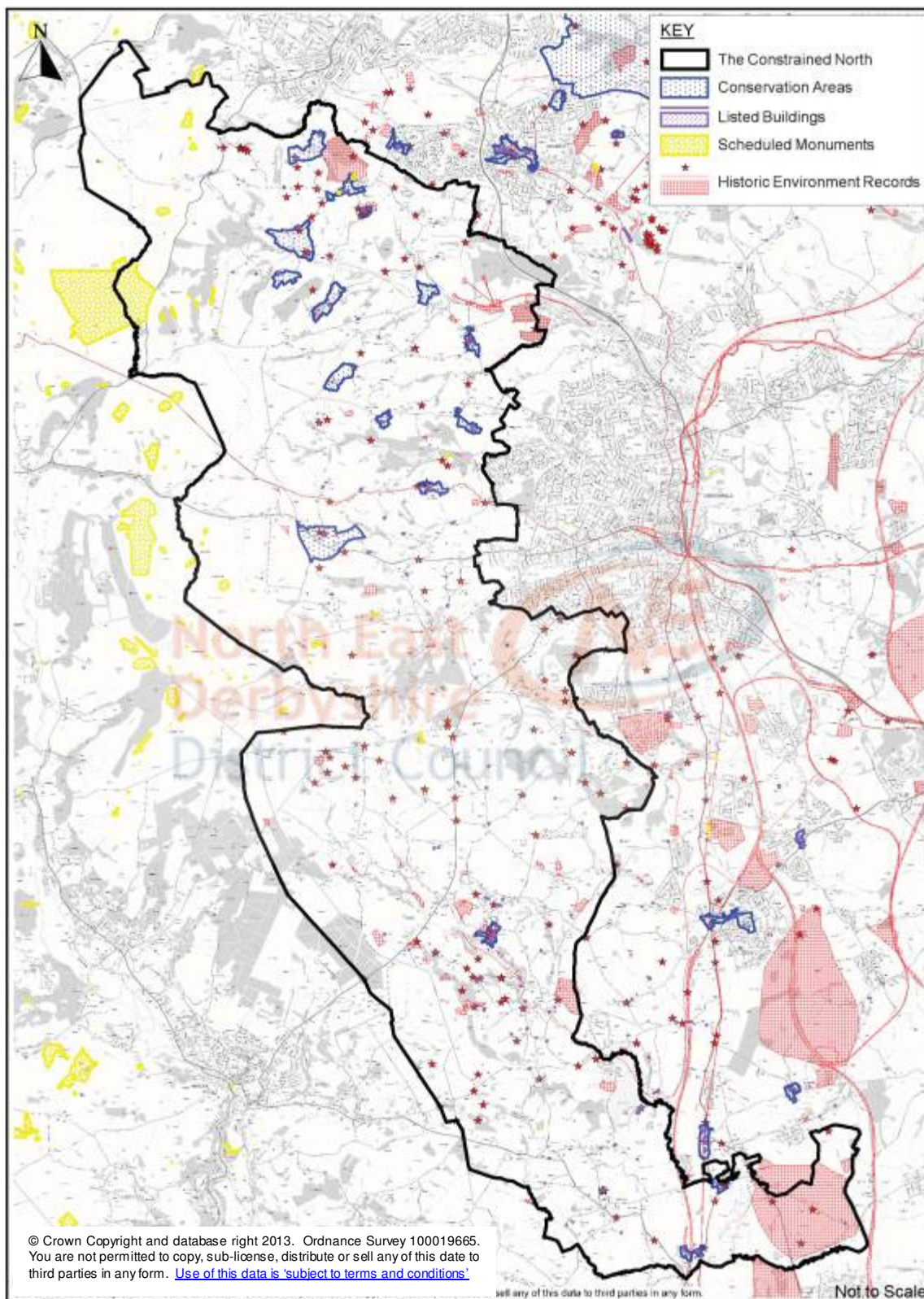


Figure 3 Heritage Assets in the Rural West

1.11 The rural west is truly a rural landscape with no major towns or significant industrial development. The landscape is dominated by small villages, farms and small-scale industries such as stone quarrying. Similar to the constrained north this area retains historic landscape patterns. In contrast to the transitional south the

industry pre-dates the 19th Century and as such has had a more sympathetic impact upon the landscape. The remains left behind have not caused injury to the landscape through the introduction of major infrastructure or material waste. As there was no need to house a large workforce the area has not been subject to major growth or population increases and as such the decline of any industry has had a limited impact. This has resulted in the preservation of many much older structures that are still used today. The use of local stone is very apparent particularly gritstones and sandstones.

1.12 Retaining much of the landscape for agricultural purposes has preserved evidence of ancient settlements which is highlighted through the high proportion of findspots and monuments on the HER. The significant elements of this area are the traditional and original vernacular buildings that remain in the landscape surrounded by agricultural land. Conversion schemes often result in the loss of vernacular or traditional building and their characteristics. Tighter control over both conversion and post-conversion schemes will be an important mechanism to protecting this historic and rural landscape.

2. *Historic Environment Planning Policy Context 2012*

2.1 In moving forward to a new Local Plan it is important to set out a positive strategy for the conservation and enjoyment of the historic environment. In order to do this the above conclusions have been taken into consideration as a baseline for future historic environment management and a relevant policy framework. As well as making recommendations that are relevant it is also important to make clear and concise recommendations for future management. As part of this assessment it is important to also consider the implications of the loss of National Policy and in particular the loss of Planning Policy Statements and replacement with the National Planning Policy Framework. The Localism Act 2011 provides for the abolition of the Regional Policy Framework. For the East Midlands this would be the East Midlands Regional Plan or (Regional Spatial Strategy) RSS8 (2009). The abolition of the regional level of policy is due to be rolled out through 2012 and as such it is important to consider the loss of such policies. The following is an assessment of the recently superseded PPS5 and the proposed outgoing Regional Policy. It is important to consider whether the loss of these, often detailed, policies would create a weakened policy framework as a result and whether it would be beneficial to retain relevant aspects at the local level.

2.2 Where the Government has introduced similar policies in the NPPF, to those outgoing policies, then it is considered unnecessary duplication to repeat these at the local level. Where there are details that have been lost then this assessment will consider a local policy to replace important aspects that the District Council could retain in its future Local Plan.

2.3 In addition to the National and Regional Policy changes it is important that the current Local Policies are assessed to determine whether they remain relevant to the protection of the historic environment.

National Policy Framework 2012 – the consequences of the loss of PPS5

2.4 One of the most significant changes in relation to management of the historic environment came in 2010 when the long standing PPG15 (1994) was replaced with the shorter PPS5. Reducing a detailed and prescriptive 64 page document down to a slim 18 page document but with a detailed practice guide. Within its 18 pages PPS5 set out 12 key policy areas covering:

- Climate Change
- Evidence base requirements
- Regional and Local Planning Approaches
- Permitted Development and Article 4 Directions
- Monitoring Indicators
- Development Management – Information Requirements
- Development Management – Policy Principles relating to all heritage assets
- Development Management – Additional Policy Principles
- Development Management – Additional Policy Principles relating to Designated Heritage Assets
- Development Management – Additional Policy Principles relating to the setting of a Designated Heritage Assets
- Enabling Development
- Recording of information relating to heritage assets

2.5 This Policy document was supported with a detailed 55 page practice guide. This practice guide remains in place in support of the National Planning Policy Framework (NPPF). The NPPF is a 58 page document that has replaced all 25 PPGs and PPSs not just PPS5. PPS5 is primarily covered in Section 12: Conserving and enhancing the historic environment. This section contains 16 paragraphs that aim to reflect the framework of PPS5. The full set of policies contained in PPS5 is attached at Appendix A where a comparison is made relative to the content of the NPPF and commentary on whether it is appropriate to retain policies, or certain aspects of policies, at the location level. Overall it is apparent from this analysis that there are aspects of PPS 5, most notably on the impacts of mitigating and adapting to climate change with respect to heritage structures, which could be reflected in the North East Derbyshire Local Plan. A full comparison between PPS5 and the NPPF is set out in a table at Appendix A.

Regional Policy Context 2012 – the consequences of the loss of RSS8

2.6 The Regional Plan contained a single policy in relation to setting the regional priorities for the historic environment. This is set out in full in Appendix B. As there are no current plans to replace this level of policy it is considered important that the key messages are reflected in the Local Plan. In particular ensuring the Council understands its historic environment through regular review and management of key areas of change such as within Conservation Areas. This should be achieved by requiring the submission of Heritage Statements and Impact Assessments, in relation to development proposals, but that the Council retains an in-house and up-to-date understanding of its areas of significance in order to impartially assess the positive or negative impacts of development affecting the historic environment.

Local Policy Context 2012 – the relevance and usefulness of existing policies.

2.7 The current Local Plan was adopted in 2005. The policies that relate specifically to the Historic Environment are within the Built Environment Chapter. These were written when Planning Policy Guidance Notes 15: Planning and the Historic Environment and Planning Policy Guidance Note 16: Planning and Archaeology (PPG15 and PPG16) were the national guidance documents in relation to the historic environment and archaeology. The current Local Plan whilst it remains relevant to the protection of the historic environment it is considered that the current Built Environment Policies could be updated to include the current conservation approaches as set out in the NPPF but without repeating what is in the NPPF. The 2005 Local Plan policies are set out in full at Appendix C.

3. Future Local Policy Recommendations

3.1 As set out above it is considered appropriate to reflect the nationally adopted change in terminology with respect to Heritage Assets. Most notably in individual policy references to Listed Buildings, Conservation Areas, Scheduled Monuments and Registered Historic Parks and Gardens which can be replaced with reference to the single term 'Designated Heritage Assets'. In conjunction it is also appropriate to make specific policy references to Non-Designated Heritage Assets such as previously unknown archaeological evidence or unlisted but locally important buildings, for example. As a result of taking this approach it is possible to reduce down the number of local historic environment policies without losing important policy controls.

3.2 The below policy recommendations are made following the above analysis of outgoing/superseded National, Regional and Local Policy together with the background evidence work of the Historic Environment Study.

3.3 The current 7 policies of the local plan cover Designated Heritage Assets only. The thrust of each policy therefore could be combined into a single or a reduced number of policies to cover all assets. However it will be important that a single policy covers each designation sufficiently without duplicating the requirements of the NPPF.

3.4 In looking at the nature of development that can have a harmful impact upon the historic environment then this can be broken down into works that affect designated heritage assets and works that affect non-designated heritage assets:

- Alterations to Designated Heritage Assets or structures/sites within Heritage Assets including changes of use
- Demolition of a Designated Heritage Asset or structure within a Heritage Assets
- Development affecting the setting of a Designated Heritage Asset
- Alterations to a Non-Designated Heritage Asset
- Demolition of a Non-Designated Heritage Asset
- Development affecting the setting of a Non-Designated Heritage Asset

3.5 The general areas identified in the Historic Environment Study as requiring additional protection (as set out in Section 1 above) were:

- Gap sites left by past demolition within the towns of Dronfield and Eckington within Conservation Areas having a harmful impact upon legibility and

distinctiveness of place. Appropriate development that seeks to provide useful frontage development with high quality vernacular details would be welcomed.

- Regular reviews of designated heritage assets would enable the Council to control harmful incremental changes through appropriate management plans.
- Retain the special architectural and traditional characteristics specific to the area in which it is situated. For example in the south the fine Victorian and Industrial 19th Century developments associated with coal mining and railway construction. In the north and west the vernacular barns and agricultural buildings of the rural landscapes and the fine grain traditional stone developments in the towns.
- Development to the south of Eckington that has a harmful impact upon the setting of Renishaw Hall and its historic park and garden should be resisted
- In order to assess the impact upon the historic environment the Council will require applicants and developers to submit Heritage Statements and Impact Assessments to demonstrate they have considered the historic environment.
- The high number of barns and particularly historic timber framed buildings were identified as a key characteristic throughout the district. In order to ensure conversion schemes retain vernacular characteristics, post conversion, the Council will consider assessing schemes for Article 4(2) Directions or removed permitted development rights. A policy specifically relating to extensions on conversion buildings is recommended to ensure the council are able to resist inappropriate domestic extensions.

3.6 In light of specific outgoing policy requirements, the change in terminology and approach as set out in the NPPF the following Local Plan policies are recommended in relation to the historic environment.

4. Historic Environment Strategic Policy Recommendations

4.1 The following recommended approach seeks to replace the 7 current policies of the 2005 Local Plan, incorporating the findings of the Historic Environment Chapters and an assessment of the outgoing planning policy framework. The majority of issues are covered with the first policy recommendation HE1 below.

HE1 The Protection of the Historic Environment

The LPA will seek protection of the historic environment. Where heritage assets are affected by proposed development it will seek to preserve and enhance them wherever possible. All new development must preserve or enhance the local character and distinctiveness of the local area. The LPA will do this through:

- a. Encouraging the use of local materials
- b. Encouraging appropriate development of 'gap' sites within Conservation Areas where it is identified in Conservation Character Appraisals.
- c. The use of Conservation Area Character Appraisals and associated Management Plans to ensure the preservation or enhancement of the individual character of each Conservation Area.
- d. The protection of designated heritage assets and their settings including listed buildings, conservation areas, scheduled monuments and historic parks and gardens.
- e. Consulting the Historic Environment Record to identify and, where appropriate, seek protection and preservation in situ or recording of non-designated heritage assets in terms of previously unknown important archaeological remains, if they are likely to be adversely affected by development. All recording shall be undertaken by a suitably qualified professional prior to the development commencing and the records made publicly available.
- f. Undertaking regular reviews of Designated Heritage Assets.
- g. Enhancing and preserving traditional characteristics and original, traditional or vernacular architectural features of developments and buildings throughout the district. Where substantially complete structures remain intact the LPA will consider the use of powers under Article 4(2) Directions to ensure they remain protected in the future.
- h. Protecting and enhancing the character and setting of Renishaw Hall and its extensive historic parks and gardens.
- i. Identifying and establishing a list of locally important buildings and structures to be known as 'The Local List' which will be a material consideration as a non-designated heritage asset.

The LPA has a presumption in favour of retaining non-designated heritage assets including locally listed buildings and important archaeology. Development that involves substantial harm or loss of a non-designated heritage asset will not be acceptable unless it can be demonstrated that:

- I. The asset is structurally unsound and poses a safety risk (demonstrated through the submission of a Structural Report)
- II. It is unviable to repair or maintain the asset
- III. Alternative uses have been fully explored and discounted
- IV. It would have wider social, economic or environmental benefits as part of a masterplanned regeneration scheme.

Where a proposal involves unavoidable harm or loss of a non-designated heritage asset the LPA will seek a replacement development of similar quality and where possible retaining important features of the heritage asset.

In relation to heritage assets known to be 'at risk' the LPA will consider positively development proposals that seek to conserve the heritage asset in the most appropriate manner

4.2 In addition to the central historic environment policy HE1 it has been identified that a specific climate change policy, originally forming part of PPS5 and not transferred to the NPPF, should be incorporated into the emerging Local Plan. This should require non-invasive energy saving techniques to be used ahead of granting applications for more invasive works.

Policy HE2 Climate Change Adaptation and Mitigation

The LPA will seek to identify opportunities to mitigate, and adapt to, the effects of climate change when making decisions relating to heritage assets by seeking the re-use and, where appropriate, the modification of heritage assets so as to reduce carbon emissions and secure sustainable development. Applicants are required to demonstrate, through the submission of information, on the measures already undertaken to reduce energy consumption and create a comfortable environment. All benign, non-invasive adaptations shall have been incorporated into the building, such as energy saving light bulbs, draught-proofing doors and windows, heavy lined curtains and shutters, (where appropriate) for example, before consent is granted for more invasive techniques that effect the fabric or character and appearance of the heritage asset affected.

Opportunities to adapt heritage assets should be sought through a sequential approach:

1. enhancing energy efficiency through improved insulation, for example, to reduce the use of energy
2. sustainable use of water resources
3. allowing greater use of renewable energy

Keeping heritage assets in use avoids the consumption of building materials and energy, the loss of embodied energy and traditional durable construction materials and the generation of waste from the construction of replacement buildings.

Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets.

4.3 The NPPF advises LPAs to require applicants to describe the significance of any heritage assets affected when determining planning applications. It is therefore considered appropriate to specify, at the local level, what format this description should take and when it should be submitted.

Policy HE3 Submission of Heritage Statements and Impact Assessments

When considering development proposals that affect any designated heritage asset, including demolition and works that affect the setting the LPA will require the submission of a Heritage Statement and Impact Assessment. This should be proportionate to the scale of development proposed and reflect all of the heritage assets affected. This will describe the significance and the impact of the development on that significance. Where development affects multiple designated heritage assets then the applicant may be required to seek professional assistance in writing the Heritage Statement and Impact Assessment.

4.4 One of the key messages to come out of the Historic Environment Study background evidence paper was the high proportion of barns and traditional timber-framed buildings. It is considered important that proposals to convert such structures also take into account the future use. Often these buildings come forward for conversion to residential use, however there has been no provision, within the Local Plan, to control later domestic extensions to these buildings once they have been established as dwellings. It is therefore recommended that either a ‘Domestic Extensions’ policy also includes a specific reference to extensions to residential barn conversions or the below specific barn conversions policy is used to control later alterations to these important buildings.

Policy HE4 Domestic Extensions on Residential Barn Conversions

Residential barn conversions retain a traditional relationship with their environment and have characteristic footprints, features of a distinctly vernacular appearance and generally retain agricultural characteristics. Proposals which seek to alter the original structure in manner that is considered to be harmful to any of these characteristics or seeks to enlarge the building to a point where the original building and footprint are no longer discernable will be refused. Acceptable extensions must demonstrate that:

- a. They are not significantly enlarging the original building to a point where the original footprint is lost;
- b. They are retaining a traditional relationship with the surrounding buildings and landscapes
- c. Original doors and windows are retained and new details do not result in a loss of character.

4.5 The Historic Landscape Character Assessment work undertaken by Derbyshire County Council identified a number of historic landscape characteristics particularly around the settlements of:

- Ridgeway
- North Wingfield
- Shirland
- Higham
- Morton
- Pilsley
- Stonebroom
- Wadshelf
- Cutthorpe
- Dronfield
- Killamarsh
- Spinkhill

The Historic Environment Study noted that this landscape was largely preserved around these settlements. Where development is likely to impact upon these ancient landscapes then it is considered that great care and attention to detail is required to in order to protect or preserve the legibility ancient landscape patterns.

Policy HE5 Development Affecting Ancient Landscape Patterns

Development proposals that affect ancient landscapes shall take into account any designated heritage assets together with the identified ancient field patterns and boundaries associated with ancient and medieval fossilised strip systems. Applicants shall undertake a detailed Heritage Impact Assessment to assess and evaluate the surrounding landscape and seek to preserve historic landscape features.

4.6 Given the current economic climate and the 2012 changes to VAT regimes, in relation to Listed Buildings, many proposals to retain and conserve 'at risk' heritage structures are not coming forward due to financial constraints. Enabling development is a recognized means of funding heritage projects and was previously covered by PPS5. This is reflected to some degree in the NPPF but it lacks the criteria specific details that originally formed part of policy HE in PPS5. It is recommended therefore that the original criteria based policy assessment of PPS5, is retained at the local level to recognize both the importance of enabling development and to protect the significance of the heritage asset affected.

Policy HE6 Enabling Development

The LPA will assess whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the dis-benefits of departing from the development plan (having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004) or from national policies, taking into account whether:

- it will materially harm the significance of the heritage asset or its setting
- it will avoid detrimental fragmentation of management of the heritage asset
- it will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation
- it is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid
- there is a source of funding that might support the heritage asset without the need for enabling development

the level of development will be the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests.

5. Appendices

Appendix A 2012 National Planning Policy Framework

Abolished PPS 5 (2010)	NPPF (2012)	LPA Proposed Core Strategy Policies	How addressed
HE1 Heritage Assets and Climate Change (Page 3)			
<p>HE1.1 Local planning authorities should identify opportunities to mitigate, and adapt to, the effects of climate change when devising policies and making decisions relating to heritage assets by seeking the reuse and, where appropriate, the modification of heritage assets so as to reduce carbon emissions and secure sustainable development. Opportunities to adapt heritage assets include enhancing energy efficiency, improving resilience to the effects of a changing climate, allowing greater use of renewable energy and allowing for the sustainable use of water. Keeping heritage assets in use avoids the consumption of building materials and energy and the generation of waste from the construction of replacement buildings.</p>	<p>No specific reference in relation to Heritage</p>	<p>Primarily the issue of climate change should be addressed separately to heritage.</p> <p>Whilst the last sentence is very important; the general encouragement to incorporate energy efficiency technologies can be very harmful. It is suggested that this is reworded to ensure this is the last option after all other improvements have been made:</p>	<p>A specific policy (HE2) is recommended in the North East Derbyshire Local Plan (Part 1: Strategic Policies)</p> <p>This has been specifically recommended as a Historic Environment Policy but it could be incorporated into a general climate change policy.</p>
<p>HE1.2 Where proposals that are promoted for their contribution to mitigating climate change have a potentially negative effect on heritage assets, local planning authorities should, prior to determination, and ideally during pre-application discussions, help the applicant to identify feasible solutions that deliver similar climate change mitigation but with less or no harm to the significance of the heritage asset and its setting.</p>		<p>Retain the wording of HE1.2 as this does not principally promote climate change modifications to heritage assets but does not dissuade from their use. It seeks to advocate early discussion with the LPA to ensure the most appropriate solution to the particular heritage asset is achieved.</p>	
<p>HE1.3 Where conflict between climate change objectives and the conservation of heritage assets is unavoidable, the public benefit of mitigating the effects of climate change should be weighed against any harm to the significance of heritage assets in accordance with the development management principles in this PPS and national planning policy on climate change.</p>		<p>Retain but re-word to reflect local perspective.</p>	
HE2: Evidence Base for Plan Making (Page 4)			

<p>HE2.1 Regional and local planning authorities should ensure that they have evidence about the historic environment and heritage assets in their area and that this is publicly documented. The level of detail of the evidence should be proportionate and sufficient to inform adequately the plan-making process.</p>	<p>Core Planning Principles (Page 6)</p> <ul style="list-style-type: none"> • conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations; 	<p>Covered in proposed NPPF so no need to duplicate.</p>	<p>No action taken</p>
<p>HE2.2 Local planning authorities should either maintain or have access to a historic environment record.</p>	<p>Use proportionate evidence base Historic environment Paragraph169 (Page 41) Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.</p>	<p>We do have access to the HER and the Conservation Officer has access to the Historic Landscape Assessment which is available in Mapinfo. The HER is mapped as a layer in Uniform. DCC update this annually</p>	
<p>HE2.3 Local planning authorities should use the evidence to assess the type, numbers, distribution, significance and condition of heritage assets and the contribution that they may make to their environment now and in the future. It should also be used to help predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.</p>	<p>Paragraph 170 (Page 41) Where appropriate, landscape character assessments should also be prepared, integrated with assessment of historic landscape character, and for areas where there are major expansion options assessments of landscape sensitivity.</p>		
<p>HE3: Regional and Local Planning Approaches (Page 4)</p>			
<p>HE3.1 Regional spatial strategies (RSS) and local development frameworks (LDF) should set out a positive, proactive strategy for the conservation and enjoyment of the historic environment in their area, taking into account the variations in type and distribution of heritage asset, as well as the contribution made by the historic environment by virtue of:</p> <ol style="list-style-type: none"> (i) its influence on the character of the environment and an area's sense of place (ii) its potential to be a catalyst for regeneration in an area, in particular through leisure, tourism 	<p>Paragraph 126 (Page 30) Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:</p>	<p>As indicated in NPPF a policy to reword and set out a strategy for the Conservation of the historic environment similar to HE3.1</p>	

<p>and economic development</p> <p>(iii) the stimulus it can provide to inspire new development of imaginative and high quality design</p> <p>(iv) the re-use of existing fabric, minimising waste; and</p> <p>(v) its mixed and flexible patterns of land use that are likely to be, and remain, sustainable.</p>	<p>the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</p> <p>the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;</p>		
<p>HE3.2 The level of detail contained in an RSS or LDF should reflect the scale of the area covered by the plan and the significance of the heritage assets within it.</p>	<p>the desirability of new development making a positive contribution to local character and distinctiveness; and</p>	<p>Not sure how relevant it is to include this policy</p>	
<p>HE3.3 At a regional level, the character and significance of the historic environment should inform the RSS with particular attention paid to the landscapes and groupings or types of heritage assets that give distinctive identity to the region or areas within it. Some individual heritage assets such as World Heritage Sites are likely to have regional significance in plan-making.</p>	<p>opportunities to draw on the contribution made by the historic environment to the character of a place.</p>	<p>We're not regional so ignore this policy</p>	
<p>HE3.4 At a local level, plans should consider the qualities and local distinctiveness of the historic environment and how these can contribute to the development of the spatial vision in the local development framework core strategy. Heritage assets can be used to ensure continued sustainability of an area and promote a sense of place. Plans at a local level are likely to consider investment in and enhancement of historic places, including the public realm, in more detail. They should include consideration of how best to conserve individual, groups or types of heritage assets that are most at risk of loss through neglect, decay or other threats (see also policy HE5)</p>		<p>Re-word a specific local policy to control development</p>	<p>Included in Recommended Policy HE1 of the North East Derbyshire Local Plan (Part 1: Strategic Policies)</p>
<p>HE4: Permitted Development and Article 4 Directions (Page 5)</p>			
<p>HE4.1 Local planning authorities should consider whether the exercise of permitted development rights would undermine the aims for the historic environment. If it would, local planning authorities should consider the use of an article 4</p>	<p>Paragraph 200. The use of Article 4 directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area (this could include the use of</p>	<p>As a general policy this could be repeated at the local level.</p>	<p>Included in Recommended Policy HE1 of the North East Derbyshire Local Plan (Part 1: Strategic Policies)</p>

<p>direction to ensure any development is given due consideration.</p>	<p>Article 4 directions to require planning permission for the demolition of local facilities). Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.</p>		
<p>HE5 Monitoring Indicators (Page 5)</p>			
<p>HE5.1 Local planning authorities should consider how they can best monitor the impact of their planning policies and decisions on the historic environment. They should pay particular attention to the degree to which individual or groups of heritage assets are at risk of loss or decay, how they expect this will change over time, and how they propose to respond.</p>	<p>Covered to some degree in Paragraph 126 but this does not refer to monitoring</p>	<p>As a general policy this could be repeated at the local level to ensure monitoring mechanisms are in place (although AMR monitors the effectiveness of policies).</p>	<p>No specific policy recommendation as this should be included as a General Policy</p>
<p>HE6 Information requirements for applications for consent affecting Heritage Assets (Page 6)</p>			
<p>HE6.1 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. The level of detail should be proportionate to the importance of the heritage asset and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the relevant historic environment record should have been consulted and the heritage assets themselves should have been assessed using appropriate expertise where necessary given the application's impact. Where an application site includes, or is considered to have the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where desk-based research is insufficient to properly assess the interest, a field evaluation.</p>	<p>Paragraph 128 (Page 30) 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. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.</p>	<p>Whilst this requirement is repeated in the NPPF it is considered necessary for a Local information requirement should be specified in the Local Plan. Particularly as nationally LPA are only encouraged to require information.</p>	<p>Policy HE3 has been recommended as part of North East Derbyshire Local Plan (Part 1: Strategic Policies) to address this issue and to require applicants to submit the relevant information.</p>
<p>HE6.2 This information together with an assessment of the impact of the proposal should be set out in the application (within the design and access statement when</p>			

<p>this is required) as part of the explanation of the design concept. It should detail the sources that have been considered and the expertise that has been consulted.</p>			
<p>HE6.3 Local planning authorities should not validate applications where the extent of the impact of the proposal on the significance of any heritage assets affected cannot adequately be understood from the application and supporting documents.</p>			
<p>HE7 Policy Principles Guiding The Determination of Applications for Consent Relating to all Heritage Assets (Page 6)</p>			
<p>HE7.1 In decision-making local planning authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal (including by development affecting the setting of a heritage asset) taking account of:</p> <ul style="list-style-type: none"> (i) evidence provided with the application (ii) any designation records (iii) the historic environment record and similar sources of information (iv) the heritage assets themselves (v) the outcome of the usual consultations with interested parties; and (vi) where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice (from in-house experts, experts available through agreement with other authorities, or consultants, and complemented as appropriate by advice from heritage amenity societies). 	<p>Paragraph 129 (Page 30) Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.</p>	<p>PPS5 goes into greater details whereas NPPF simplifies this. I don't necessarily think this policy needs repeating at a local level given that it is reflected in the NPPF.</p>	<p>No action taken</p>
<p>HE7.2 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</p>			

of the proposals.		
<p>HE7.3 If the evidence suggests that the heritage asset may have a special significance to a particular community that may not be fully understood from the usual process of consultation and assessment, then the local planning authority should take reasonable steps to seek the views of that community.</p>		
<p>HE7.4 Local planning authorities should take into account:</p> <ul style="list-style-type: none"> 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 	<p>Paragraph 131 (Page 31) In determining planning applications, local planning authorities should take account of:</p> <p>the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</p> <p>the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</p> <p>the desirability of new development making a positive contribution to local character and distinctiveness.</p>	
<p>HE7.5 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.</p>		
<p>HE7.6 Where there is evidence of deliberate neglect of or damage to a heritage asset in the hope of obtaining consent, the resultant deteriorated state of the heritage asset should not be a factor taken into account in any decision.</p>	<p>Paragraph 130 (Page 30) Where there is evidence of deliberate neglect of or damage to a heritage asset the deteriorated state of the heritage asset should not be taken into account in any decision.</p>	No need to retain as repeated in NPPF
<p>HE7.7 Where loss of significance is justified on the merits of new development, local planning authorities should not permit the new development without taking all reasonable steps to ensure the new development will proceed after the loss has occurred by imposing appropriate planning</p>	<p>Paragraph 136 (Page 32) 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.</p>	No need to retain as repeated in NPPF

conditions or securing obligations by agreement.

HE8 Additional Policy Principle guiding the consideration of applications for consent relating to heritage assets that not covered by policy HE9 (Page 8)

HE8.1 The effect of an application on the significance of such a heritage asset or its setting is a material consideration in determining the application. When identifying such heritage assets during the planning process, a local planning authority should be clear that the asset meets the heritage asset criteria set out in Annex 2. Where a development proposal is subject to detailed pre-application discussions (including, where appropriate, archaeological evaluation (see HE6.1)) with the local planning authority, there is a general presumption that identification of any previously unidentified heritage assets will take place during this pre-application stage. Otherwise the local planning authority should assist applicants in identifying such assets at the earliest opportunity.

No Specific Reference

HE8.1 could be retained and used in the determination of planning applications. NPPF doesn't seem to go into differentiating between designated and undesignated heritage assets

Recommended policy HE1 of the **North East Derbyshire Local Plan (Part 1: Strategic Policies)** includes a section on retaining non-designated heritage assets.

HE9 Additional Policy Principles guiding the consideration of applications for consent relating to Designated Heritage Assets (Page 8)

HE9.1 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. Once lost, heritage assets cannot be replaced and their loss has a cultural, environmental, economic and social impact. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, including scheduled monuments, 14 protected wreck sites, battlefields, grade I and II* listed buildings and grade I and II* registered parks and

Paragraph 132 (Page 31)
When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be

No need to repeat in a local policy

No action taken

<p>gardens, World Heritage Sites, should be wholly exceptional.</p>	<p>wholly exceptional.</p>		
<p>HE9.2 Where the application will lead to substantial harm to or total loss of significance local planning authorities should refuse consent unless it can be demonstrated that:</p> <ul style="list-style-type: none"> (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or (ii) (a) the nature of the heritage asset prevents all reasonable uses of the site; and (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use. 	<p>Paragraph 133 (Page31) Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:</p> <p>the nature of the heritage asset prevents all reasonable uses of the site; and</p> <p>no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and</p> <p>conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and</p> <p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>No need to repeat in a local policy</p>	
<p>HE9.3 To be confident that no appropriate and viable use of the heritage asset can be found under policy HE9.2 (ii) local planning authorities should require the applicant to provide evidence that other potential owners or users of the site have been sought through appropriate marketing and that reasonable endeavours have been made to seek grant funding for the heritage asset's conservation and to find charitable or public authorities willing to take on the heritage asset.</p>	<p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>		
<p>HE9.4 Where a proposal has a harmful impact on the significance of a designated heritage asset which is less than substantial harm, in all cases local planning authorities should:</p> <ul style="list-style-type: none"> (i) weigh the public benefit of the proposal (for example, that it helps to secure the optimum viable use of the heritage asset in the interests of its long-term conservation) against the harm; and (ii) recognise that the greater the harm to the significance of the 	<p>Paragraph 134 (Page 31) Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.</p>	<p>No need to repeat in a local policy</p>	

<p>heritage asset the greater the justification will be needed for any loss.</p>			
<p>HE9.5 Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies in HE9.1 to HE9.4 and HE10 apply to those elements that do contribute to the significance. When considering proposals, local planning authorities should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole. Where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the World Heritage Site or Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping.</p>	<p>Paragraph 137 (Page 32) Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. 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.</p> <p>Paragraph 138 (Page 32) Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 133 or less than substantial harm under paragraph 134, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.</p>	<p>No need to repeat in a local policy</p>	
<p>HE9.6 There are many heritage assets with archaeological interest that are not currently designated as scheduled monuments, but which are demonstrably of equivalent significance. These include heritage assets:</p> <ul style="list-style-type: none"> • that have yet to be formally assessed for designation • that have been assessed as being designatable, but which the Secretary of State has decided not to designate; or • that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 	<p>Paragraph 139 (Page 32) Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.</p>	<p>No need to repeat in a local policy</p>	

<p>1979. The absence of designation for such heritage assets does not indicate lower significance and they should be considered subject to the policies in HE9.1 to HE9.4 and HE10</p>			
<p>HE10 Additional Policy Principles guiding the consideration of applications for development affecting the setting of a designated heritage asset (Page 10)</p>			
<p>HE10.1 When considering applications for development that affect the setting of a heritage asset, 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. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application. The greater the negative impact on the significance of the heritage asset, the greater the benefits that will be needed to justify approval.</p>	<p>Paragraph 129 (Page 30) Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.</p>	<p>The Historic environment study has identified specific areas of policy protection that relates to the setting of heritage assets. This work will be used to identify future area specific policy protection as well as background to conservation area review.</p>	<p>The original HE10.1 policy for PPS5 relates specifically for the determination of applications. Para 129 of the NPPF is less specific about when it is applied and generally requires LPA to assess the significance of heritage assets.</p>
<p>HE10.2 Local planning authorities should identify opportunities for changes in the setting to enhance or better reveal the significance of a heritage asset. Taking such opportunities should be seen as a public benefit and part of the process of place-shaping.</p>	<p>Paragraph 137 (Page 32) Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. 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.</p>	<p>Opportunities for new development have been identified in the Historic environment study particularly within conservation areas. Further work will be required through conservation area review</p>	<p>Policy HE1 of the North East Derbyshire Local Plan (Part 1: Strategic Policies) specifically references 'gap' sites in conservation areas.</p>
<p>HE11 Enabling Development (Page 10)</p>			
<p>HE11.1 Local planning authorities should assess whether the benefits of an application for enabling development to secure the future conservation of a heritage asset outweigh the dis-benefits of departing from the development plan (having regard to the requirements of section 38(6) of the Planning and Compulsory Purchase Act 2004) or from national policies, taking into account whether:</p> <ul style="list-style-type: none"> it will materially harm the significance of the heritage asset or its 	<p>Paragraph 140 (Page 32) Local planning authorities should assess 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, outweigh the dis-benefits of departing from those policies.</p>	<p>Retain HE11.1 as this contains a criteria based policy assessment lost in the NPPF. The retention of the full criteria based approach is recommended to reflect the economic fragility of the heritage section which often inhibits scheme from coming forward.</p>	<p>Recommended Policy HE6 of the North East Derbyshire Local Plan (Part 1: Strategic Policies) includes the criteria based approach of controlling enabling development.</p>

<ul style="list-style-type: none"> • setting • it will avoid detrimental fragmentation of the heritage asset • it will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation • it is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid • there is a source of funding that might support the heritage asset without the need for enabling development • the level of development is the minimum necessary to secure the future conservation of the heritage asset and of a design and type that minimises harm to other public interests. 			
--	--	--	--

HE12 Policy Principles guiding the recording of information related to heritage assets. (Page 11)

<p>HE12.1 A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of our past should not be a factor in deciding whether a proposal that would result in a heritage asset's destruction should be given consent.</p>	<p>Paragraph 141 (Page 32) Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly accessible. They should also require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.³⁰ However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.</p>	<p>The Historic Environment Study as a background evidence paper will be made publicly available. It is considered that this will add to the</p>	<p>Recommended Policy HE1 of the North East Derbyshire Local Plan (Part 1: Strategic Policies) includes a requirement to consult the HER and seek protection and preservation in situ including recording</p>
<p>HE12.2 The process of investigating the significance of the historic environment, as part of plan-making or development management should add to the evidence base for future planning and further the understanding of our past. Local planning authorities should make this information publicly available, including through the relevant historic environment record.</p>			
<p>HE12.3 Where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate.</p>			

The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should publish this evidence and deposit copies of the reports with the relevant historic environment record. Local planning authorities should require any archive generated to be deposited with a local museum or other public depository willing to receive it. Local planning authorities should impose planning conditions or obligations to ensure such work is carried out in a timely manner and that the completion of the exercise is properly secured.

Appendix B 2012 Historic Environment Regional Policy Framework

East Midlands Regional Plan 2009	Recommendations/ Comments	Action Taken
<p>Policy 27: Regional Priorities for the Historic Environment</p> <p>The Historic Environments should be understood, conserved and enhanced, in recognition of its own intrinsic value, and its contribution to the Region's quality of life.</p> <p>Across the Region and particularly in areas where growth or regeneration is a priority, development should promote sensitive change of the historic environment. To achieve this, Local Planning Authorities should:</p> <ul style="list-style-type: none"> • identify and assess the significance of specific historic assets and their settings; • Use characterisation to understand their contribution to the landscape or townscape in areas of change; • Encourage the refurbishment and re-use of disused or under-used buildings of some historic or architectural merit and incorporating them sensitively into regeneration schemes; • Promote the use of local building materials; and • Recognise the opportunities for enhancing existing tourism attractions and for developing the potential of other areas and sites of historic interest as part of Green Infrastructure, having regard to potential impacts upon biodiversity. 	<p>Areas of growth are likely to be focused primarily on the south of the district with development in the north and west to meet local demand only.</p> <p>In order to ensure the historic environment is conserved and understood for its intrinsic value it will be important that heritage assets are understood to a degree that will ensure those significant elements are preserved and enhanced.</p> <p>Conservation Areas and Buildings at Risk should be regularly reviewed every 5 years.</p> <p>A character statement and Action Plan should be provided for each Conservation Area.</p>	<p>Recommended Policy HE3 of the North East Derbyshire Local Plan (Part 1: Strategic Policies) includes the need to submit a heritage statement to assess the significance of any heritage asset affected by proposed development.</p> <p>In assessing the district in 3 character areas the Local Planning Authority considers that the character areas identified do possess unique character. This together with the DCC Landscape Characterisations have been used to understand the unique nature of heritage assets within North East Derbyshire.</p> <p>Recommended Policy HE1 encourages the use of local materials and the re-use of sites to the benefit of conservation areas.</p>

Appendix C 2012 Historic Environment Local Planning Policy Framework

North East Derbyshire Local Plan 2005	Recommendations/ Comments	Action Taken
<p>BE6 Scheduled Ancient Monuments and Archaeological Sites In considering proposals for development the Council will take into account the impact on Scheduled Ancient Monuments and other nationally important sites, their settings and amenity value. There should be a presumption in favour of their physical preservation in situ. Development that would have an adverse effect on a site will be refused. Where possible, other significant sites of archaeological importance should be preserved in situ. In circumstances where this is not feasible or justified, planning permission will be granted provided the developer ensures the appropriate and satisfactory provision for the excavation and recording of the remains prior to development. Where proposals would be likely to affect sites of known or possible archaeology, the Council will require: (a) an archaeological assessment or field evaluation to be submitted with the planning application; and (b) that the nature, extent and significance of the remains and the impact of the proposed development is known prior to granting planning permission.</p>	<p>It is considered that there should be an additional policy to firstly require a heritage assessment in relation to development affecting any designated heritage asset. Heritage assets are defined in the NPPF.</p>	<p>Recommended Policy HE3 of the North East Derbyshire Local Plan (Part 1: Strategic Policies) will require the submission of a Heritage Statement and Impact Assessment.</p> <p>Recommended Policy HE1 does cover Scheduled Monuments and archaeological sites including preserving in situ and recording where appropriate.</p>
<p>BE7 Alterations and Works to Listed Buildings Development proposals for the extension, alteration or partial demolition of a Listed Building will only be granted where the proposal respects, preserves or enhances the special architectural or historic interest of the building. Proposals should demonstrate that: (a) the historic form, detailing, character, structural integrity, floor plan and setting of the building is retained; (b) any enlargement does not dominate the original building; (c) elements that contribute to the special character and interest of the building both internally and externally are retained or restored; and (d) the scale, design, detailing and materials proposed respect the character of the original building.</p>	<p>It is considered that a specific policy should be provided to cover sustainability alterations to listed properties. This should require owners to demonstrate they have sought to utilise all benign energy saving methods ahead of invasive methods</p>	<p>Recommended Policy HE2 of the North East Derbyshire Local Plan (Part 1: Strategic Policies) requires alterations to LB to address climate change issues through benign measures before more invasive options are considered. Policy HE1 requires the preservation and enhancement of Listed Buildings including setting.</p>
<p>BE8 Change of Use of a Listed Building Permission will only be granted for the change of use or conversion of a Listed Building where: (a) the new use will not be detrimental to the special architectural or historic interest and setting of the Listed Building; and (b) the new use would secure the long term future and retention of a Listed Building that would otherwise be lost.</p>	<p>Still relevant if policies such as GS7 remained in the new Local Plan. If not then this policy should be more detailed to require applicants to submit heritage statements, standing building appraisals, structural surveys, options appraisal and conservation management plan</p>	<p>Policy HE1 of North East Derbyshire Local Plan (Part 1: Strategic Policies) requires the preservation and enhancement of Listed Buildings including setting.</p>
<p>BE9 Development in the Vicinity of a Listed Building Development affecting the setting of a Listed Building will only be permitted if it preserves or enhances that setting, and includes where appropriate the retention of trees and other landscape features.</p>	<p>In light of national policy changes this could be amended to reflect the balance of refusing schemes that cause harm to the setting of heritage assets.</p>	<p>Policy HE1 of North East Derbyshire Local Plan (Part 1: Strategic Policies) requires the preservation and enhancement of Listed Buildings including setting.</p>

<p>BE10 Demolition of Listed Buildings Proposals to demolish listed buildings will be strongly resisted. Only in exceptional circumstances will demolition be approved and in the case of total or substantial demolition, consent will not be given without clear and convincing evidence that:</p> <p>(a) an assessment of the condition of the building and the cost of repair and maintenance in relation to its importance and the value derived from its continued use has been undertaken;</p> <p>(b) all reasonable efforts have been made to sustain the existing uses or find viable new uses, and these efforts have failed;</p> <p>(c) preservation in some form of charitable or community ownership is not possible or suitable; and</p> <p>(d) redevelopment would produce substantial benefits for the community which would outweigh the loss resulting from demolition.</p> <p>Consent for demolition of listed buildings will always be conditional upon an opportunity for English Heritage, or some other suitably qualified person to record the building before demolition takes place.</p>	<p>This does not go into demolition of structures which have no significance and would be beneficial to demolish (i.e. modern structures that detract from the high value of the lb). This policy could also go into requiring heritage assessment and options appraisal for future uses</p>	<p>Policy HE1 of North East Derbyshire Local Plan (Part 1: Strategic Policies) requires the preservation and enhancement of Listed Buildings including setting.</p>
<p>BE11 Development Within and Adjoining Conservation Areas Proposals for development within or adjacent to a Conservation Area should preserve or enhance the character of the Conservation Area. Permission will be granted where it can be demonstrated that:</p> <p>(a) the scale, form, siting, design, choice of materials and detailing respect the prevailing traditional built features of the Conservation Area;</p> <p>(b) the relationship of the proposed development with the existing buildings, historic street patterns, important open spaces and views into and out of the Conservation Area have been considered; and</p> <p>(c) boundary and landscaping features, such as walls, pavements, traditional signs, hedges, trees and shrubs which contribute to the character of the Conservation Area are retained.</p>	<p>This does not positively encourage the infilling of traditionally/originally enclosed but now open 'gap' sites which exist in many conservation areas.</p> <p>Should the requirement to undertake a heritage assessment as to the impact upon a heritage asset be included in this policy?</p>	<p>Policy HE1 of North East Derbyshire Local Plan (Part 1: Strategic Policies) encourages the appropriate development of gap sites in conservation areas. It requires the enhancement and preservation of traditional characteristics of heritage assets. It also requires the use of Conservation Area Character Appraisals and Management Plans to ensure the character of conservation areas is preserved.</p>
<p>BE12 Demolition of Unlisted Buildings and Structures Within a Conservation Area Proposals for the demolition of an unlisted building in a Conservation Area will only be permitted if the character or appearance of the Conservation Area will be preserved or enhanced, taking into consideration the architectural and historic interest of the building and the contribution that it makes to the Conservation Area and the quality of any replacement building proposed. The Council will require applications for the demolition of buildings in Conservation Areas to be accompanied by appropriate detailed plans showing the replacement in its setting. Where appropriate, the Council will impose conditions to ensure demolition does not take place until a contract for the redevelopment is in place.</p>	<p>The development of a local list will seek to provide additional protection for unlisted buildings both within and outside conservation area boundaries.</p>	<p>Policy HE1 of North East Derbyshire Local Plan (Part 1: Strategic Policies) encourages the appropriate development of gap sites in conservation areas. It requires the enhancement and preservation of traditional characteristics of heritage assets. It also requires the use of Conservation Area Character Appraisals and Management Plans to ensure the character of</p>

		<p>conservation areas is preserved. This policy also seeks to provide protection once a 'Local List' has been adopted. This will add greater weight to the protection of important local heritage properties that are not otherwise protected.</p>
<p>BE13 Historic Parks and Gardens Proposals for development likely to affect historic parks and gardens will only be permitted if: (a) the proposals do not adversely affect any nationally registered historic park or garden; and (b) the proposals do not detract from the character and setting, including views and vistas, or otherwise affect the integrity of other Historic Parks or Gardens.</p>	<p>There is only 1 Registered Park and Garden in the District. This is Renishaw Hall and as such a more specific policy could be used to protect it.</p>	<p>Policy HE1 of North East Derbyshire Local Plan (Part 1: Strategic Policies) does specifically identify Renishaw Hall as needing to be protected and enhanced.</p>