

3. Heritage

KEY MESSAGES

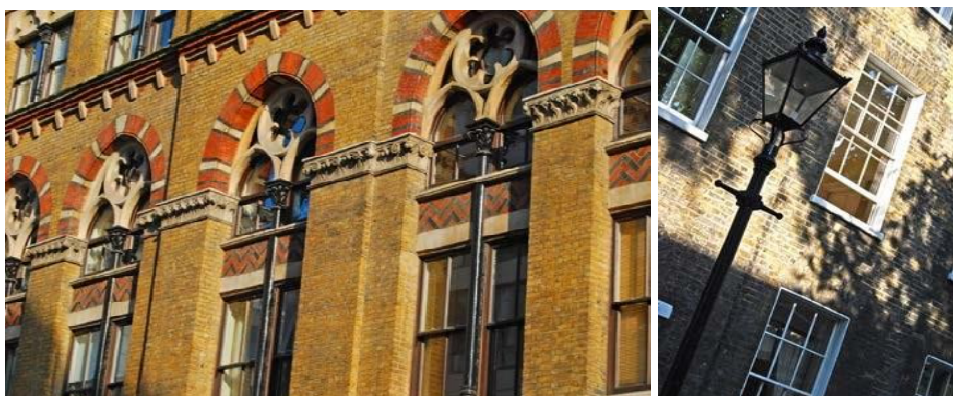
- Camden has a rich architectural heritage and we have a responsibility to preserve, and where possible, enhance these areas and buildings.
- The Council will only permit development within conservation areas that preserves and where possible enhances the character and appearance of the area.
- Our conservation area statements, appraisals and management plans contain further information and guidance on all the conservation areas.
- Most works to alter a listed building are likely to require listed building consent.
- The significance of 'Non-Designated Heritage Assets' (NDHAs) will be taken into account in decision-making.
- Historic buildings can and should address sustainability and accessibility.
- Heritage assets play an important role in the health and wellbeing of communities.

3.1 This section provides guidance on Camden's heritage assets (which include conservation areas, listed buildings and locally listed buildings), including what they are and the implications of their status and designation. This section also sets out details on how historic buildings can address sustainability and access for all.

3.2 This section sets out further guidance on how we will apply Camden Local Plan Policy D1 Design and Policy D2 Heritage in order to protect and enhance the borough's heritage assets.

When does this section apply?

3.3 This guidance applies to all applications that may affect any element of the historic environment and therefore may require planning permission



or listed building consent.

General principles for the protection of heritage assets

Heritage asset: The National Planning Policy Framework defines a heritage asset as: *"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."*

- 3.4 As outlined in the NPPF, local planning authorities should not permit the 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. The Council will take a similar approach with regard to the protection of non-designated heritage assets. Non-designated heritage assets refer to heritage assets identified by the local planning authority on their Local List or during the planning process.

THE COUNCIL - will make a balanced judgment having regard to the scale of any harm or loss and the significance of the asset/s affected. We will take account of:

- The desirability of sustaining and enhancing the significance of any heritage asset/s and putting them to viable uses consistent with their conservation;
- The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality and health and wellbeing;
- The desirability of new development that affects heritage assets to preserve and enhance local character and distinctiveness.

APPLICANTS - will need to show how the significance of a heritage asset, including any contribution made by their setting, has been taken into consideration in the design of the proposed works. The level of detail required will be proportionate to the asset/s importance and no more than is sufficient to understand the potential impact of the proposal on the significance of the asset/s affected.

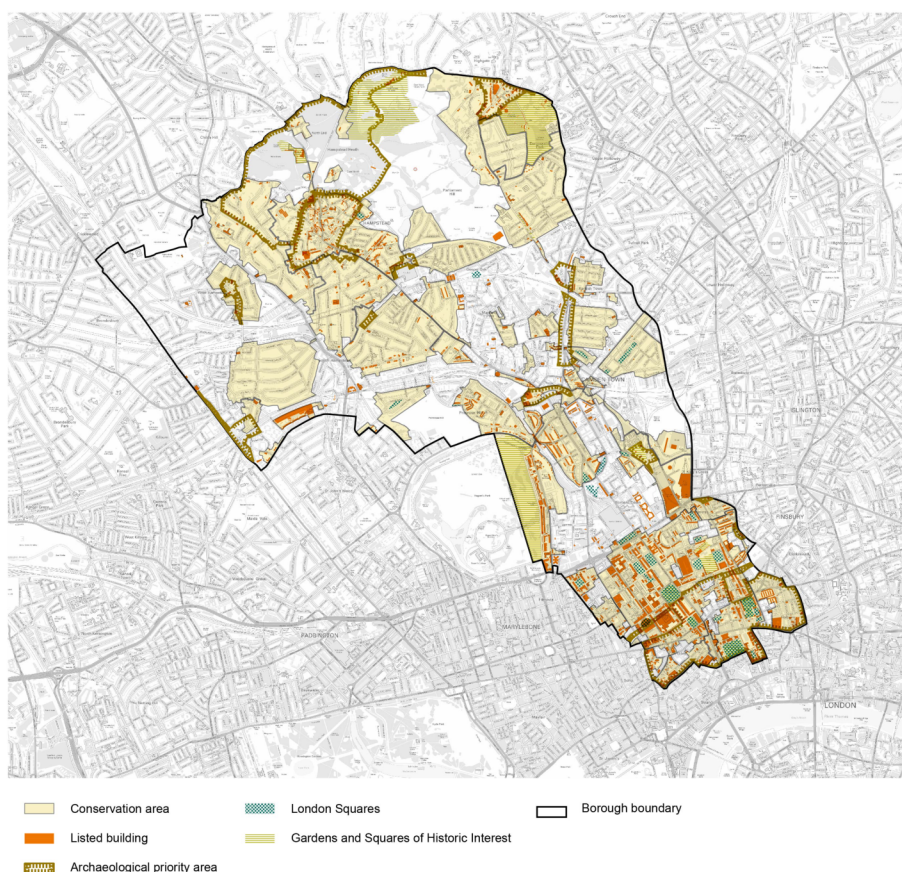
Conservation Areas

What is a conservation area?

- 3.5 A conservation area is defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 as an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve and, where possible, enhance. The National Planning Policy Framework (NPPF) identifies conservation areas as "heritage assets" and requires that proposals in conservation areas are assessed for their impacts on their historic significance. There are 40 conservation areas in Camden, which vary greatly in appearance, size, character and style

and these are identified on the [Camden Local Plan Policies Map](#) and shown on Figure 1 below.

Figure 1. Heritage and archaeological sites showing Conservation Areas



- 3.6 Conservation area designation is a way to recognise the importance of the quality of an area as a whole, as well as giving some protection to individual buildings within it. Conservation areas are not designated to stop all future development or change but to ensure that change is managed to conserve and where possible enhance the historic significance of the area as a whole.
- 3.7 Features that can contribute to an area's special character, quality, heritage value and interest and Conservation area status include:
- the architectural design and uses of the buildings
 - the layout and arrangement of buildings
 - the quality of open space and trees in the area
 - the street pattern
 - individual buildings of significance
 - street furniture

- 3.8 Further information on heritage is available on the 'Conservation and Design' section of the Council's website www.camden.gov.uk and on Historic England's website <https://historicengland.org.uk/>.

Effects of conservation area status

- 3.9 The Council will only permit development within conservation areas, and development affecting the setting of conservation areas, that preserves and where possible enhances the character and appearance of the area in line with Local Plan policy D2 and the NPPF.
- 3.10 The Council has greater control over building work in conservation areas, including demolition, materials and detailed design. Planning permission may be required for alterations or extensions that would not normally need planning permission elsewhere, such as minor roof alterations, dormer windows, renewable energy installations or installation of a satellite dish. For more information on energy efficiency in buildings please see CPG Energy Efficiency and Adaptation.

Renewable energy technology: Renewable energy technologies generate energy from natural resources such as sunlight, wind, rain and heat in the ground, which are naturally replenished.

Demolition in conservation areas

- 3.11 When determining an application the Council will consider Policy D2 Heritage, the NPPF and our conservation area statements, appraisals and management plans (see below). It is an offence to totally or substantially demolish a building or structure in a conservation area without first getting consent from the Council and we would not normally allow their demolition without substantial justification, in accordance with criteria set out in government policy and guidance including the NPPF, in particular paragraphs 195-196 and 201.

Trees

- 3.12 Planning legislation makes special provision for trees in conservation areas. Prior to pruning or felling a tree in a conservation area you must provide the Council six weeks notice in writing. All trees that contribute to the character and appearance of a conservation area should be retained and protected. For further information on trees, please see our **CPG on Trees**.

Archaeology

- 3.13 Camden Local Plan policy D2 states that the Council will protect remains of archaeological importance by ensuring measures are taken to preserve them and their setting, proportionate to their significance. 13 archaeological priority areas are shown on Local Plan Map 4 and on the Policies Map adopted alongside the Plan. The Plan notes that these areas provide a general guide to locations of archaeological remains, but do not indicate every find site in the borough and therefore finds are likely both within and outside these areas.

- 3.14 As anticipated in the Local Plan, the archaeological priority areas have been reviewed and updated and the London Borough of Camden Archaeological Priority Areas Appraisal Study is due to be published by Historic England / the Greater London Archaeology Advisory Service (GLAAS) at the start of April 2019. Therefore applicants should refer to the updated study when undertaking archaeological assessments and refer to the Local Plan for the Council's approach to the protection of the



archaeological priority areas and archaeological finds in other parts of the borough.

Article 4 directions

- 3.15 A range of minor changes can be made to buildings without the need to apply for planning permission as these have a general permission through planning legislation. These changes are known as 'permitted development'. However, the character of a conservation area depends on the presence of specific original details and where these are lost the historic interest and attractive character of the area deteriorates.
- 3.16 In these situations the Council can issue a direction through Article 4 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 3.17 An Article 4 Direction removes permitted development rights for a specific property or area and means a planning application has to be made for minor works that would not otherwise need one. The Council has introduced a number of Article 4 Directions, to protect Camden's heritage and important historic features.
- 3.18 Further information on Article 4 directions, including where they apply in Camden, is available on the 'Advice and help with planning applications' section of the Council's website www.camden.gov.uk and Historic England has some guidance on Article 4 Directions and Heritage, available at <https://historicengland.org.uk/advice/hpg/historicenvironment/article4directions/>

Conservation area statements, appraisals and management plans

- 3.19 The Council has published a series of conservation area statements, appraisals and management plans that describe and set out our approach to preserving and enhancing the historic significance of each individual conservation area. These are available for download on our website [here](#).
- 3.20 Conservation area statements, appraisals and management plans help guide the design of development in conservation areas and the Council will take these into account when we assess planning applications in conservation areas.
- 3.21 Each conservation area statement, appraisal or management plan contains the following:
- A summary of the location and the historical development of an area;
 - A description of its character;
 - An outline of the key issues and development pressures that are currently of concern;
 - The key policy framework for that particular conservation area, and specific guidance for it;
 - Identification of heritage assets and elements of the wider historic environment which give an area its historic significance; and
 - Identification of sites and features that have a negative impact on the conservation area, and
 - Identification of opportunities for enhancement of the area by redevelopment of a building or site.



Listed buildings

What is a listed building?

- 3.22 A listed building is defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 as a structure or building of special architectural or historic interest. These are included along with nationally protected sites on the National Heritage List for England (NHLE) managed by Historic England. An online searchable database of the NHLE is available on the Historic England website at www.historicengland.org.uk. Listed buildings are identified as heritage assets within the Camden Local Plan and the Council is required to assess the impact that proposals to a listed building, or within their setting, may have on the historic significance of the building.
- 3.23 Listed buildings are graded according to their relative importance as either Grade I, Grade II* or Grade II. Grades I and II* are considered of outstanding architectural or historic interest and are of particularly great importance to the nation's heritage. The majority of listed buildings (about 94% nationally) are Grade II. However, the statutory controls on alterations apply equally to all listed buildings irrespective of their grade and cover the interior as well as the exterior and any object or structure fixed to or within their curtilage.

Listing description: The listing description contains details of a listed building's address, history, appearance and significance. These may help to identify what it is about the building that gives it its special historic interest.

- 3.24 Further information on listed buildings in Camden is available on our website www.camden.gov.uk

Alterations to listed buildings

- 3.25 Most works to alter a listed building are likely to require listed building consent and this is assessed on a case by case basis, taking into account the individual features of a building, its historic significance and the cumulative impact of small alterations. The listing description is not intended to be exhaustive and the absence of any particular feature in the description does not imply that it is not of significance, or that it can be removed or altered without consent. However, some more recent list descriptions do specifically mention items which are not part of the listing. Listed status also extends to any object or structure fixed to the listed building, and any object or structure within its curtilage which forms part of the land. You should contact the Council at the earliest opportunity to discuss proposals and to establish whether listed building consent is required.
- 3.26 Some 'like for like' repairs and maintenance do not require listed building consent. However, where these would involve the removal of historic

materials or architectural features, or would have an impact on the special architectural or historic interest of a building, consent will be required. If in doubt applicants should contact the Council's duty planning service on tel: 0207 974 4444 for advice.

- 3.27 In assessing applications for listed building consent the Council has a statutory duty to 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. We will consider the impact of proposals on the historic significance of the building, including its features, such as:
- original and historic materials and architectural features;
 - original layout of rooms;
 - structural integrity; and
 - character and appearance.
- 3.28 We will expect original or historic features to be retained and repairs to be in matching material. Proposals should seek to respond to the special historic and architectural constraints of the listed building, rather than significantly change them.
- 3.29 Applications for listed building consent should be fully justified and should demonstrate how proposals would affect the significance of a listed building and why the works or changes are desirable or necessary. In addition to listed building consent, some proposals may also require planning permission. These applications should be submitted together and will be assessed concurrently.
- 3.30 It is a criminal offence to undertake unauthorised works to a listed building, even if you are not aware the building is listed, and it could result in prosecution and a fine or imprisonment (or both).
- 3.31 Some works that are required in order to comply with the Building Regulations (e.g. inclusive access, energy efficiency) may have an impact on the historic significance of a listed building and will require listed building consent.

Inclusive access to listed buildings

- 3.32 It is important that everyone should have dignified and easy access to and within historic buildings, regardless of their level of mobility. With sensitive design, listed buildings can often be made more accessible, while still preserving and enhancing the character of the building.
- 3.33 For listed buildings and other heritage assets, the Council will balance the requirement to provide access with the interests of conservation and preservation. Sensitive design solutions that achieve access for all, to and within listed buildings, should be sought where it is practicable to do so. Further guidance is available in CPG Access and in the Historic England publication ["Easy Access to Historic Buildings"](#).

- 3.34 In order to support access for all, there are ways in which access can be provided to listed buildings that avoid removing features that contribute to their heritage significance and therefore their listing. Where features are retrofitted to a listed building in order to improve accessibility, care should be taken to ensure that any potential harm is appropriately prevented or mitigated.



Preventing harm to heritage assets

- 3.35 In accordance with Camden Local Plan policy H2 and the National Planning Policy Framework (NPPF) the Council will not permit the loss of or substantial harm to a designated heritage asset 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 particular circumstances apply.
- 3.36 The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal outweigh that harm.

Harm

Historic England (in Conservation Principles, Policies and Guidance, 2008) define harm as:

Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage value of a place.

- 3.37 Substantial harm is a high test which may arise in a number of cases. In those cases where harm or loss is considered likely to be substantial, the Council will consider the relevant NPPF tests on levels of harm, heritage conservation as a public benefit in itself, optimum viable use, levels of harm and mitigating harm.
- 3.38 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 3.39 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.
- 3.40 Development permitted in a particular location or in close proximity to a proposed application site will not be considered to form a precedent for similar development elsewhere or in a similar location. Each heritage asset has its own special significance and therefore each application or assessment of a proposal will be based on its own merit.
- 3.41 As outlined by [Historic England Advice Note 1](#), (Conservation Area Appraisal, Designation and Management, second edition, 2018) harm could include severing the last link to part of the history of an asset or between the asset and its original setting. Conversely, positive change could include the restoration of a building's plan form or an original designed landscape.

Consideration of cumulative impact

- 3.42 In assessing applications that affect heritage assets, the Council will, in addition to considering proposals on an individual basis, also consider whether changes could cumulatively cause harm to the overall heritage value and/or integrity of the relevant Conservation Area, Listed building or heritage asset.
- 3.43 As set out in [Historic England Advice Note 1](#) (second edition, 2018) the cumulative impact of incremental small-scale changes on a particular heritage asset may have as great an effect on its significance as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, the Council will consider whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with the approach set out in the NPPF.
- 3.44 The Council recognises that changes to individual buildings, as well as groups of buildings such as terraces, can cumulatively cause harm to the character of conservation areas. We will therefore take cumulative impact into account when assessing a scheme's impact on conservation areas.

Integrating new development with heritage assets

- 3.45 It is important that all development proposed to a heritage asset or in close proximity to a heritage asset is informed by a thorough understanding of its sensitive context, the historic environment and the significance of the heritage asset and its setting.
- 3.46 The Council expects that development not only conserves and avoids harm but also takes opportunities to enhance or better reveal the

significance of heritage assets and their settings. Development must respect local character and context and seek to enhance the character of an area where possible.

- 3.47 The Council has published a series of conservation area statements, appraisals, management plans and character studies that provide useful information and guidance on heritage assets, local context and how to achieve appropriate development in a historic context.

Non-Designated Heritage Assets (NDHAs)

- 3.48 Camden has a high quality historic environment which includes listed buildings, conservation areas, parks and gardens recognised for their important architectural or historic interest and many formal squares protected under the London Squares Preservation Act 1931. The Borough also has many attractive, historic, locally significant buildings and features which contribute to the distinctiveness of local areas, but which are not formally designated. The National Planning Policy Framework (NPPF) identifies these features as non-designated heritage assets (NDHAs).
- 3.49 Buildings make up the majority of these NDHAs, but street furniture, such as civil parish boundary markers, post boxes or cobbles, and historic natural landscape features such as green spaces, gardens and parks, can also be considered NDHAs. Often it is the commonplace things that give character to an area, but they may be overlooked because of their familiarity. Pubs, shops, places of meeting, places of worship, benches, statues, whether subtle or idiosyncratic, all contribute to the particular character of a place. They add depth of meaning and make a place special for local people, by acting as a visual marker for the local history, traditions, stories and memories that survive into the present day.

Identification of Non-designated Heritage Assets (NDHAs)

- 3.50 Non-designated heritage assets may either be identified as part of the planning process (e.g. pre-application process) or on Camden's Local List.
- 3.51 Assets of Community Value (ACVs) are not a heritage designation. However, an ACV listing does, nevertheless, give communities an increased chance to prevent the loss of a valued community asset such as a public house for example or other local facilities. This relates to the protection of a building, building use, structure or open space considered to have social and cultural significance.

Camden's Local List

- 3.52 Camden's Local List identifies non-designated heritage assets within the borough, providing information about their architectural, historic, townscape and / or social significance. It acts as a valuable resource to residents, developers and other interested parties alike, helping to ensure that the significance of any asset deemed a non-designated heritage asset is carefully considered by the Council in decision making.

- 3.53 In order to ensure that the identification of non-designated heritage assets is consistent and that their significance is properly considered, the selection criteria, set out below, were developed and adopted by the Council in November 2012.

Local List Criteria

To be considered for inclusion on the Local List nominations should satisfy a minimum of two criteria with at least one of them being either criteria 1 or 2.

CRITERION 1 - ARCHITECTURAL SIGNIFICANCE this includes assets that:

- a) demonstrate distinctive artistic, craftsmanship, design or landscaping qualities of merit (e.g. form, layout, proportions, materials, decoration); and/or
- b) are attributed to a locally known, architect, designer, gardener or craftsman and demonstrates quality of design, execution, and innovation; and/or
- c) exemplify a rare type or function which survives in anything like its original condition and form.

CRITERION 2 - HISTORICAL SIGNIFICANCE this includes assets that:

- a) demonstrate rare evidence of a particular phase or period of the area's history; and/or
- b) are associated with a locally important historic person, family or group; and/or
- c) are associated with a notable local historic event or movement.

Nominations under this criteria should retain physical attributes which are of key importance to their historical significance.

CRITERION 3 - TOWNSCAPE SIGNIFICANCE

This includes assets which play a key part in supporting the distinctive character of the local neighbourhood either as a landmark, for their aesthetic qualities, through promoting collective identity or group value.

CRITERION 4 - SOCIAL SIGNIFICANCE

- a) are associated with distinctive communal, commemorative, symbolic or spiritual significance; and/or
- b) are associated with locally distinctive literature, theatre, music or film etc.;

which have support from and are valued by a wider community or society. Nominations under this criteria should retain physical attributes which are of key importance to their social significance.

- 3.54 Camden's Local List can accessed online via the Local List webpage www.camden.gov.uk/localist

- 3.55 The Local List will be periodically reviewed and updated, e.g. as new non-designated heritage assets are identified, or new information requires an existing item on the Local List to be amended.

Implications of being a non-designated heritage asset (NDHA)

- 3.56 Unlike proposals that will affect designated assets (such as statutorily Listed Buildings) being identified as a non-designated heritage asset (either identified on the Local List or as part of the planning process) does not automatically affect your permitted development rights. However if planning permission is required for any proposal that would either directly or indirectly affect the significance of a non-designated heritage asset (either on the Local List or not) then the Council will treat the significance of that asset as a material consideration when determining the application.

The Council will seek to protect non-designated heritage assets (NDHA). The effect of a proposal on the significance of a NDHA will be weighed against the public benefits of the proposal, balancing the scale of any harm or loss and the significance of the heritage asset, including guidance set out in section 3.4 of this document.

- 3.57 The use of Article 4 Direction/s to remove specific permitted development rights from buildings/features identified as non-designated heritage assets will be considered where it is deemed necessary and appropriate.

Non-designated heritage assets and Conservation Areas

- 3.58 The identification of NDHAs and the process of local heritage listing aims to focus attention on buildings/features which are considered to be locally significant but whose architectural and historic value is not formally recognised (and therefore do not currently benefit from protection as part of the planning process).
- 3.59 For this reason the focus of Camden's Local List is largely with buildings/features located outside designated conservation areas and does not include buildings that are identified as making a positive contribution to the character of a conservation area. However there may be exceptional circumstances where a building, landscape or feature is located within a conservation area but can still be considered for inclusion on the local list. An example might be a building which does not relate to the character or appearance of a conservation area but is of significance in its own right.
- 3.60 For information on conservation areas please refer to the section 3.16 in



this section and conservation area appraisals which are available on the Council's [website](#).

Addressing sustainability in historic buildings

- 3.61 The Council recognises that the historic environment can play a role in reducing the impact of climate change. For example, reusing existing buildings can avoid the material and energy cost of new development. There are many ways to improve the efficiency and environmental impact of historic buildings, for example improving insulation, draught-proofing and integrating new energy-saving and renewable-energy technologies. We will seek to balance achieving higher environmental standards with protecting Camden's unique built environment (in accordance with Local Plan Policies CC1 Climate change adaptation and CC2 Adapting to climate change through promoting higher environmental standards and D2 Heritage).
- 3.62 More detailed guidance on how to modify buildings without compromising their significance is contained within CPG Energy Efficiency and Adaptation and CPG Water and Flooding. For further information see the links at the end of this chapter.

Heritage and health and wellbeing

- 3.63 Heritage plays an important part in our wellbeing and quality of life. Historic England promotes the positive impact that local heritage has on people's quality of life.
- 3.64 Heritage supports social cohesion and inclusion. People can develop much stronger, long-lasting connections with their communities through heritage conservation work.
- 3.65 Heritage improves places and local heritage makes areas a better place for people to live, work, learn and play.
- 3.66 For further information on Heritage and health and wellbeing see Historic England document, [Heritage Counts, 2017](#).

Planning obligations relating to heritage assets

- 3.67 Many of the potential impacts of development on historic buildings and in archaeological priority and conservation areas can be covered through design and by conditions on the planning permission, for example the need to carry out surveys or the storage and restoration of artefacts. However, some objectives for building and area conservation or archaeology are unlikely to be satisfactorily controlled through a condition. In such cases, and where impacts are off-site or involve a particularly sensitive or a complex programme of works involving phasing, the Council may require implementation of these measures through a Section 106 Agreement. This should be in accordance with Policies D1 and D2 of the Local Plan.
- 3.68 Depending on the nature of the scheme, the Council may require a developer to:

- put measures in place so that work can be stopped if the developer finds some archaeological artefacts during construction;
- provide, implement and maintain a suitable historic landscape management plan;
- draw up a listed building or conservation maintenance, repair and/or management plan;
- provide and implement a restoration scheme for historic buildings and features perhaps to a set timescale and an agreed specification;
- provide and financially support an information centre including the resourcing of staff;
- carefully record, remove, store, display and maintain specifically identified artefacts or remnants from demolition as part of a new development or in another location;
- safeguard in perpetuity an area containing significant remains and incorporate it into the design of the scheme and allow and manage public access;
- undertake and complete specified works prior to implementation or occupation of any new or enabling development; and
- carry out related surveys.

Further information

Please refer to [Camden's Conservation Area statements, appraisals and management plans](#) for guidance on heritage features in particular conservation areas.

National Guidance

The Government's national policies on the historic environment are set out in:

- **National Planning Policy Framework (NPPF)** section 16 - Conserving and enhancing the historic environment – MHCLG, 2018 <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Further guidance is provided in:

- **National Planning Practice Guidance** - Conserving and enhancing the historic environment
<http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/>

Historic England

<http://www.historicengland.org.uk>

Guidance on heritage assets:

- Historic England Advice Notes – <https://historicengland.org.uk/advice/latest-guidance/>

- Heritage at Risk Register – Historic England
<https://historicengland.org.uk/advice/heritage-at-risk/>
- Local Heritage Listing – Historic England (2016)

Guidance on sustainability measures in heritage buildings:

- Energy Efficiency and Historic Buildings (Historic England guidance)
- Climate Change and the Historic Environment (Historic England guidance)
- Energy Saving Trust www.est.org.uk – guidance on energy efficiency in buildings