

DRAFT MCS POLICY IN RESPECT OF

CONSERVATION AREAS AND PROTECTION OF BUILT HERITAGE

Merseyside
Civic
Society

1 Introduction

- 1.1 Conservation Areas are defined in the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) as areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.
 - 1.2 Local Planning Authorities have a duty under Section 69 of the Act to review designations from time to time and this can be undertaken not only as part of a review of its local plan process but at any point in time that is considered appropriate to meet the requirements of the aforementioned Act. (Appendix I)
 - 1.3 The Society acknowledges that reviews of Conservation Areas can include:
 - Identifying further areas which could be considered for designation as conservation areas;
 - Reviewing existing boundaries taking into account the need to consolidate, clarify and consider deleting sites, in the light of current guidelines and changes which have taken place within those areas;
 - Establishing general policies which will govern the consideration of planning applications affecting designated conservation areas;
 - Establishing policies for positive action to enhance the character and appearance of conservation areas where necessary;
 - Providing a framework for the preparation of more detailed 'character statements' for each conservation area.
 - The cancellation of designation where an area or part of an area is no longer considered to possess the special interest which led to its original designation.
 - 1.4 The Society expects that Local Planning Authorities will, in reviewing existing conservation areas and considering new designations, provide clear and consistent standards and guidance that can be easily understood and applied by owners/occupiers properties within designated conservation area (including their appointed agents).
 - 1.5 The Society recognises that it is important that only areas of demonstrable quality are designated. It is understood that deciding which areas are of special architectural or historic interest is a matter of judgement which is informed by locally based criteria. It is the quality and interests of a whole area not just the individual buildings which are of prime consideration.
 - 1.6 The Society understands the value of the historic environment and that it is a fundamental part of conservation of historic areas (& buildings) to identify these values, especially in dealing with change.
 - 1.7 The Society recognises that a significant proportion of owners in historic areas consider the investment value to be important. It is also understood that this is a primary incentive for commercial property owners, but for home owner/occupiers it may be a secondary consideration. For prospective purchasers of a designated heritage asset or an undesignated heritage asset within a Conservation Area it is understood that this may not be a factor. By understanding these motivations it will help inform the future of conserving and enhancing the historic environment for both professionals and owner/occupiers.
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- 1.8 In terms of the 'economic value' this can be summarised under 4 headings:
- Utility & Investment
 - Enterprise & Growth
 - Prosperous City, Town & Village
 - Tourism
- 1.9 Most historic areas (& buildings) are in everyday use. As such they are considered to have a 'utility value'. They also have economic and social value as work spaces, places to live, community facilities, recreational space and many other uses. It is through such use that they help to generate growth and daily living.
- 1.10 An understanding of the property and land economy in an area is of essential importance when considering the viability of heritage.
- 1.11 The Society understands that historic areas (& buildings) play an important role in the regeneration of cities, towns and rural areas all around the UK. It is recognised that historic buildings may have often undergone a number of adaptations proving themselves to be durable and flexible to changing needs.
- 1.12 The Society acknowledges that Conservation Area enhancement or regeneration initiatives and grant schemes to improve and enhance heritage can help to create confidence, improve image, attract investment and act as a catalyst to reverse economic decline and trigger restructuring, (e.g. Canning Street Conservation Area, Liverpool, Appendix IV).
- 1.13 The Society recognises that 'heritage led' schemes have the ability to provide economic development, which is different from 'comprehensive redevelopment' programmes; acknowledging that conservation areas are often closely related to creative industries and knowledge-based enterprise, and may include a diverse range of small businesses.
- 1.14 The Society supports the fact that a well-maintained historic environment will help to project a positive image which in turn will create investor confidence and improve competitiveness.
- 1.15 A high-quality historic environment can only serve to attract shoppers and visitors resulting in the enhancement and viability of both towns and city centres providing a focus for theatres and art installations to restaurants and bars. The Society recognises that places with high quality heritage resources have a commercially competitive advantage by accommodating independent retailers and other businesses, helping to avoid the creation of 'clone' towns.
- 1.16 Historic areas (& buildings) attract local and national visitors and those from overseas. Tourism is an important sector of the economy across the UK and beyond. The Society acknowledges that in many of the designated conservation areas, local businesses are highly reliant on visitor footfall.
- 1.17 Regarding 'Community Value', it is evident from the legislation that there is a duty to conserve the built heritage for the current and future generations. The Society clearly understands that people are willing to support the protection of their Conservation Areas (& Listed Buildings, inc. modern structures) when they are fully informed of their potential and value.
- 1.18 Restoring historic areas (& buildings) is a sustainable form of development. It minimises the use and waste of scarce resources associated with demolition and redevelopment of the land in question. It is accepted that this approach will help to achieve sustainable growth.
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- 1.19 It is recognised that the special architectural or historic interest of an area will address some or all of the following:
- The topographical development of the area,
 - Ancient street patterns,
 - Planned layouts,
 - The influence of historic land uses,
 - The relationship of buildings to open spaces;
 - Archaeological interest, including scheduled ancient monuments or other recorded sites;
 - Buildings of architectural or historic quality and character or social interest, either listed or unlisted;
 - High townscape and/or landscape value,
 - The contribution of green spaces, trees and other natural features as well as the built fabric of the area including views into and out of the area;
 - Building materials and details representative of a particular locality, period or prevalent building type;
 - Traditional paving materials and patterns.
- 1.20 The Society understands that the distinctiveness of areas of special architectural or historic interest can be damaged by the loss of original features, the intrusion of alien development or poor repair. As such the Society is encouraged by the fact the use of Article 4 Directions as an additional level of control can be of beneficial use to prevent minor building works and alterations radically altering the character and appearance of the designated area.
- 1.21 It is acknowledged that designation can be a stimulus to regeneration and may allow resources to be brought to bear on the area's problems, bringing economic and social benefits as well as enhancing the character and appearance. Although, the existence of negative elements within an area of otherwise special interest will not necessarily mean that designation is not appropriate.
- 1.22 The Societies Policies in respect of the Protection of Conservation Areas [Policies MCS-PCA 1-7] are shown in Appendix II.

2 Preservation and Enhancement [Policy MCS-PCA 1]

- 2.1 Proposals for protection and enhancement may take many forms. Some areas require no more than effective development control to protect their good character, while others may require a more proactive approach to solve existing problems.
- 2.2 A plethora of signs and clutter can significantly detract from the appearance of conservation area. The Society understands that, where appropriate the City Council has the powers to issue discontinuance orders to secure the removal of existing signs which are detrimental to the character and appearance of a conservation area.
- 2.3 In respect of unauthorised alterations to buildings in conservation areas which result in damage to the character and appearance of the area, the Society will make the necessary written representations to the respective Local Planning Authority to pursue appropriate action to remove the offending damage in order to restore the character appearance.
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- 2.4 It is understood that a number of Character Assessments exist for some of the designated conservation areas and that they provide detailed information on why an area has been designated, its special features and set down guidelines for works, permitted or otherwise, necessary to ensure the preservation and enhancement of its character. The Society will work with the respective Local Planning Authority to help support and implement this advice in conjunction with current best practice advice produced by Historic England and also the Government's National Planning Policy Framework for the conservation and enhancement of the historic environment.

3 Demolition of Buildings [Policy MCS-PCA 2]

- 3.1 Under the current legislation consent must be obtained for the demolition of buildings in conservation areas. It is acknowledged that there the general presumption should be in favour of the preservation of retaining buildings or structures which make a positive contribution to the character and appearance of the Conservation Area.
- 3.2 The Secretary of State now expects that proposals to demolish such buildings are assessed against the same broad criteria as proposals to demolish listed buildings.
- 3.3 Assessing whether unlisted buildings make a positive contribution to the special character, architectural or historic interest of a conservation area, it is understood that the following questions will be considered by Local Planning Authorities:
- Is the building the work of a particular architect of local or regional note?
 - Whether the building has qualities of age, style, materials or any other characteristics common to other buildings in the conservation area;
 - Do the building(s) relate by age, materials or in any other historically significant way, to adjacent listed buildings, and contribute positively to their setting?
 - Does the building, individually or as part of a group, serves as a reminder of the gradual development of the settlement in which it stands, or of an earlier phase of growth?
 - Does the building have a significant historic association with established features such as the road layout, or with local people or past events?
 - Does the building have a landmark quality, or contribute to the quality of recognisable spaces?
 - Does the building reflects the traditional functional character of, or former uses within, the area?
 - Whether a structure associated with a designed landscape within the conservation area, such as walls, terracing, or a minor garden building, is considered to be of identifiable importance to the historic design.
- 3.4 The Society recognises that any of the above characteristics has the potential for providing the basis for considering that a building makes a positive contribution to the special interest of a conservation area, only if the historic form and qualities has not been seriously eroded by unsympathetic and systematic alteration.
- 3.5 It is clearly understood that, where the building makes little or no contribution to the character of an area, the local planning authority will require full information about what is proposed for the site after demolition and that the Society expects that the relevant consents should not be given without acceptable and detailed plans for any redevelopment being submitted for formal consideration.
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- 3.6 Should the relevant Local Planning Authority Council approve the demolition of a building in a conservation area, the Society understands that unsightly gaps and dereliction are not created by the imposition of an appropriate worded condition attached to the approval ensuring that demolition shall not take place until a contract for the carrying out of works for redevelopment has been secured by the applicant, and that planning permission for those works has been formally granted.

4 Alterations of Non-Listed Buildings **[Policy MCS-PCA 3]**

- 4.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. (Appendix I)
- 4.2 The Society recognises that insensitive alterations and extensions can easily destroy the character of the conservation area.
- 4.3 The Society expects that the relevant Local Planning Authority, before granting consent, will need to be satisfied that all aspects of the proposal are justified and that the overall effect of the proposal is not detrimental to the character of the conservation area.
- 4.4 The Society will be particularly attentive to unsympathetic small-scale developments, alterations and extensions, the incremental and cumulative effects of which can so easily be detrimental to the character and appearance of the area, recognising that the existence of previous unsympathetic alterations in the area should not justify further alterations which are detrimental to the character of the area.
- 4.5 The Society will support the relevant Local Planning Authority in their dealings with applications for alterations and extensions, and will encourage the reinstatement of missing architectural features where it is considered appropriate.
- 4.6 The Society expects that fully detailed plans and elevations showing the proposed development, together with details of adjoining properties and particulars of design, external appearance, materials and proposed landscaping to form part of the application in order that a proper assessment of the likely impact of the proposal on the special architectural or historic character of the area can be made in accordance with both National and Locally adopted policies and best practice guidance for the conservation and enhancement of the historic environment.

5 New Development **[Policy MCS-PCA 4]**

- 5.1 It is accepted by the Society that special attention must be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 5.2 The Society also recognises that it is impossible to prevent all new development taking place within a designated conservation area. However, the emphasis must be on the controlled management of change 'in context' where alterations, adaptation of existing buildings and the creation of new buildings should be sympathetic in design, scale and use of materials to the existing character of the particular area.

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- 5.3 Nationally it is understood that 'conservation' has come to mean breathing new life into old buildings, sometimes by restoration, sometimes by sensitive development and sometimes by adaptation to a new use.
 - 5.4 New development must be to the highest possible standards and ideally become as valued in the future as the best historic buildings are today. Consequently new development should not just be a pastiche of the old.
 - 5.5 Good contemporary design is welcomed, but it must respect the integrity of the building's character and appearance and may involve retaining such things as the original internal layout and important architectural features.
 - 5.6 The Society recognises that gap sites or buildings that make no positive contribution to, or detract from, the character or appearance of a Conservation Area. Their replacement is encouraged but should stimulate high quality design and be regarded as opportunities for enhancement.
 - 5.7 The Society appreciates that new buildings do not have to replicate earlier buildings but should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own with special regard given to such matters as scale, height, form, massing, respect for traditional pattern of frontages, vertical or horizontal emphasis, local materials and detailed design (e.g., the scale and spacing of window openings).
 - 5.8 The Society expects the respective Local Planning Authorities to protect the character and appearance of their conservation areas. As such it is recognised that, in order to achieve this, applicants and their appointed agents must provide detailed plans and drawings of the proposals as part of any planning application.
 - 5.9 These plans and drawing should fully illustrate aspects of siting, design, scale, materials and access of the scheme and its relationship to its surroundings.
 - 5.10 The Society will make the appropriate representations to resist any new development that would detract from the character, appearance and setting of designated conservation areas, including introduction of inappropriate new uses, or the expansion or intensification of existing uses, which would adversely affect the character of a conservation area through the generation of excessive traffic, car parking and noise.
 - 5.11 Access and service arrangements for new developments or new car parking should also be carried out sympathetically and designed respecting the particular location and traditional materials that help form the character of the locality. Applicants should be mindful to ensure that rear servicing arrangements are not achieved at the expense of historic street and plot boundaries.
 - 5.12 The Society recognises that floorscape is an important part of a conservation area's character as such possible traditional surfacing should be retained or reintroduced. Generally traditional paving is considered to be relatively simple, relying on good quality materials and high quality workmanship for its effect.
 - 5.13 Where new surfacing materials are deemed to be necessary, proposals consider the adoption of similar approach, avoiding the introduction of 'alien' materials and patterns or destroying the relationship between building, footpath and highway.
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5.14 The retention of existing features, vistas and important landscape elements including trees and hedgerows and open areas will be encouraged. As such the Society suggests that landscaping proposals of any development should have regard to the existing townscape and features, including trees, walls and traditional paving which are important to the conservation area's character, and that such proposals should be included as part of the relevant applications to the Local Planning Authority.

6 New Development Adjacent to Conservation Areas [Policy MCS-PCA 5]

6.1 Current national policy for the preserving and enhancing the historic environment requires Local Planning Authorities to assess the impact of development proposals adjacent to conservation areas. The Society will support development proposals if they help protect the setting of the conservation area, (Appendix III).

6.2 The Society recognises that the current guidance and advice is a material consideration in the handling of development proposals which are outside the conservation area but would affect its setting, or views into or out of the area. Therefore, proposals for development adjacent to conservation areas should be sympathetic in design, scale, location and use of materials.

7 Shop fronts (& on Listed Buildings) [Policy MCS-PCA 6]

7.1 Whilst shop fronts may be regarded as short-lived features, the Society considers it is important that surviving shop fronts that are considered to be of architectural or historic merit must be retained and restored.

7.2 Other types of shop front in historic areas may be adapted to meet modern needs by means of sensitive design subject to detailed plans and drawing being submitted to the relevant Local Planning Authority as well designed, sympathetic shop fronts make a positive contribution to the overall street scene. It is accepted that those that are insensitive and obtrusive inevitably spoil the character and appearance of the conservation area.

7.3 The Society recognises that pressures exist to change shop fronts due to changes in retailing methods and increased pressure to advertise and display goods for sale, or for ease of maintenance. The trend to provide additional security by means of steel shutters or screens can detract from the appearance of the shopping street.

7.4 The Society will not support such alterations as they are not considered suitable for conservation areas unless applicants and their appointed agents can demonstrate that they can be integrated into the design of the shop front without adversely affecting the character or appearance of the property or area.

7.5 In terms of associated advertisements the Society recognises that adverts are a feature of today's society which has the potential to add to the attractiveness of the urban street scene by introducing colour, variety and interest. Nevertheless, the Society will make appropriate representations to reduce any proliferation of competing signs in conservation areas that can lead to an unsightly, confusing and damaging appearance of the street scene.

7.6 The Society will encourage advertising to be integrated into the overall design of the shop front and the building as a whole; 'corporate designs' should be customized accordingly to help retain the character and appearance of the Conservation Area and overall street scene.

8 Street works **[Policy MCS-PCA 7]**

8.1 The Society understands that highway works have a significant effect on the character of conservation areas and that problems can potentially arise from, or be associated with, the measures required for traffic safety control.

8.2 Road markings and signs, as well as physical constraints such as barriers or safety rails will inevitably introduce alien elements that can result in physical clutter, which can neither preserve or enhance the character or appearance of a conservation area.

8.3 The Society aims to ensure that every effort is made to retain and repair traditional surfaces such as natural stone paving, granite/stone setts and kerbs. It is recognised that the loss of such will result in the gradual erosion of character and that the introduction of an assortment of other materials can be damaging, especially when works involving maintenance associated with poor reinstatement leave ugly scars.

8.4 With regard to street furniture the Society will encourage the use of appropriately designed items to minimise physical obstruction and visual clutter, and be properly integrated into the design of the street scene as a whole.

8.5 Historic street furniture (i.e., red telephone boxes or memorials) make a major contribution to the local street scene and ideally should be retained wherever possible; with their maintenance and upkeep to be carried out by the respective owners.

8.6 The Department for Transport and the Department for Communities and Local Government produced guidance in the form of a 'Manual for Streets' in 2007 which gives advice in respect of how to respond to various issues. It does not set out new policy or legislation. It shows how the design of residential streets can be enhanced and it also advises on how street design can help create better places - places with local distinctiveness and identity.

8.7 It establishes a common reference point for all those involved in the design of residential neighbourhoods.

Appendix I

Extract from:

Planning (Listed Buildings & Conservation Areas) Act 1990

CONSERVATION AREAS

Designation

69. (1) Every local planning authority -

(a) shall from time to time determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and

(b) shall designate those areas as conservation areas.

(2) It shall be the duty of a local planning authority from time to time to review the past exercise of functions under this section and to determine whether any parts or any further parts of their area should be designated as conservation areas; and, if they so determine, they shall designate those parts accordingly.

(3) The Secretary of State may from time to time determine that any part of a local planning authority's area which is not for the time being designated as a conservation area is an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance; and, if he so determines, he may designate that part as a conservation area.

(4) The designation of any area as a conservation area shall be a local land charge.

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

(General duty as respects conservation areas in exercise of functions)

(2) The provisions referred to in subsection (1) are the planning Acts and Part I of the Historic Buildings and Ancient Monuments Act 1953. (1953 c.49.)

Appendix II

MCS Policies for the protection of Conservation Areas

[Policy MCS-PCA 1] ~ Preservation and Enhancement

1. The Society will make informed and positive representations to secure the preservation or enhancement of conservation areas by;
 - Supporting the relevant Local Planning Authorities in seeking funding from all available sources for the repair of buildings and environmental improvements, (i.e. Historic England, The National Lottery Heritage Fund, Architectural Heritage Fund, Building Preservation Trusts etc.)
 - Making appropriate representations to the relevant Local Planning Authorities to uses its powers to secure the removal of features which significantly detract from the character of the area;
 - Providing informed and advice to owners and developers about the importance of designated Conservation Areas in relation to current planning guidance and procedures.

[Policy MCS-PCA 2] ~ Demolition of Buildings

1. In accordance with current Legislation and National Guidance the Society will make representations to the relevant Local Planning Authority to respect the presumption in favour of the preserving any building, part of any building or structure in a conservation area that is considered to make a positive contribution to the character or appearance of the designated conservation area.
 2. The Society will assess and make appropriate representations in respect of proposals for the demolition of any building or structure which makes a positive contribution to the character or appearance of the conservation area against the following:
 - the importance of the building,
 - its intrinsic architectural and historic interest,
 - its contribution to the character or appearance of the conservation area,
 - the condition of the building,
 3. The Society expects that applications for demolition of any building or structure must include all the relevant information necessary to fully understand the proposals which should include:
 - the adequacy of the efforts made to retain the building in use,
 - the contribution of any new proposal to the character and appearance of the conservation area.

and be accompanied with fully detailed plans for the redevelopment of the application site.
 4. If a building or structure makes little or no contribution to the character of the conservation area, it is essential that alternative proposals for the application site should be designed in such a manner to help contribute to preserving or enhancing the character of the conservation area.
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5. The Society will support the relevant Local Planning Authorities in not granting consent for demolition unless the approved detailed plans are supported by evidence that a contract has been let for the full implementation of the development scheme.

[Policy MCS-PCA3] ~ Alterations of Non-Listed Buildings

1. The Society will support the fact the consent should not be granted for:
 - Changes of use, extensions, external alterations or any other works which adversely affect the overall character and appearance of the conservation area;
 - Applications for any works that are not fully justified with the relevant written statements or accompanied by detailed plans and elevations necessary to assess the impact of the proposals on the conservation area.
2. The Society when assessing proposals for the alteration, extension or conversion of non-listed buildings in a conservation area, regard will be given to:
 - Whether the proposals involve the retention, replacement and restoration of historic features and details of buildings, including windows, roofing materials, garden or forecourt features and boundary walls;
3. The level of detail provided in respect of the design of the proposed extension or conversion in relation to the original building with respect to:
 - proportion, materials, construction details,
 - its effect on the setting of the building and its surroundings,
 - The effect of new uses into a conservation area in terms of;
 - i) Parking and servicing arrangements
 - ii) Detailed design of such arrangements.

[Policy MCS-PCA 4] ~ New Development

1. The Society expects that Planning Permission will not be granted for:
 - New development in a conservation area which fails to preserve or enhance its character,
 - For any proposed works that are not fully justified with the relevant written statements or accompanied by detailed plans and elevations necessary (including all details of design, materials and landscaping) to assess the impact of the proposals on the conservation area.
 2. Proposals for new development will be supported by the Society that meets the following criteria:
 - The development is of a high standard of design and materials,
 - It is appropriate to its setting and context,
 - Respects the character and appearance of the conservation area;
 - The proposed development pays special attention to conserving the essential elements which combine to give the area its special character,
 - Does not introduce changes which would detract from the character or appearance of the area,
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- Important views and vistas within, into and out of the conservation area re protected,
 - Does not lead to the loss of open space or landscape features (i.e. trees and hedges) that are considered important to the character or appearance of the area,
 - Has a satisfactory means of access and provides for car parking in a way which is sympathetic to the appearance of the conservation area.
3. In terms of environmental issues and climate change, the development should not:
- Generate adverse levels of traffic, parking, noise or pollution that would be detrimental to the character or appearance of the area.

[Policy MCS-PCA 5] ~ New Development Adjacent to Conservation Areas

1. The Society will give its support to applications for development on land adjacent to a conservation area only if it helps to protect the setting of the conservation area and important views into and out of it.
2. The term 'setting' has been defined in current national planning guidance and informed technical advice produced by Historic England and the Institute for Historic Building Conservation, as such, the Society will use this advice to make appropriate representations to the relevant Local Planning Authorities to protect important views into and out of designated conservation areas.

[Policy MCS-PCA 6] ~ Shop fronts (& on Listed Buildings)

1. As part of assessing any proposals for the repair, restoration or renewal of existing shop fronts or the introduction of new shop fronts in conservation areas (& on listed buildings) the Society will consider the following:
 - all original and traditional shop fronts which are of historic or architectural value, or contribute to the character of the area must be retained and restored;
 - shop fronts that have suffered from insensitive alterations to the detriment of the character of the area must be restored;
 2. The design of new shop fronts. The Society expects that they must be well designed, principally through scale, proportion and materials;
 3. Security shutters must be integrated into the design of shop fronts and be of materials appropriate to help maintain the character of the conservation area;
 4. Proposals for advertisements and signs will be supported by the Society if they do not detract from its design, character or appearance, or compromise its setting.
 5. Advertisements and signs should take account of the character of the shop front and the building as a whole, particularly in terms of their size, proportions, positioning, materials, colour and style of lettering, and having regard to the character or appearance of the building/street in which they are situated.
 6. The Society will support the relevant Local Planning Authority in resisting proposals to insert shop fronts into buildings which were not originally designed for them.
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[Policy MCS-PCA 7] ~ Street works

1. The protection and enhancement of the quality and appearance of streets, footpaths and other public spaces in conservation areas is considered to be important by the Society and as such will support:
 - The retention of existing natural materials,
 - The use of traditional materials and techniques for paving,
 - That new street furniture is of good design and is kept to a minimum,
 - The removal any redundant street furniture
 - A relaxation of highway standards where, subject to safety reasons, onerous management solutions will detract from the area,
2. The Society will make appropriate representations to the relevant Local Planning Authorities to ensure that special care is taken in all works carried out by the Local Authority, Statutory Undertakers, Private Developers and Owners.

Appendix III

Extract from:

National Planning Policy Framework (July 2021)

16. Conserving and enhancing the historic environment

189. Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value⁶⁶. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations⁶⁷.

190. Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
 - a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
 - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
 - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
 - d) opportunities to draw on the contribution made by the historic environment to the character of a place.

191. When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.

192. Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:
 - a) assess the significance of heritage assets and the contribution they make to their environment; and
 - b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.

193. Local planning authorities should make information about the historic environment, gathered as part of policy-making or development management, publicly accessible.

66 Some World Heritage Sites are inscribed by UNESCO to be of natural significance rather than cultural significance; and in some cases they are inscribed for both their natural and cultural significance.

67 The policies set out in this chapter relate, as applicable, to the heritage-related consent regimes for which local planning authorities are responsible under the Planning (Listed Buildings and Conservation Areas) Act 1990, as well as to plan-making and decision-making.

Proposals affecting heritage assets

194. 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.
195. 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 into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
196. 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.
197. In determining applications, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
198. In considering any applications to remove or alter a historic statue, plaque, memorial or monument (whether listed or not), local planning authorities should have regard to the importance of their retention in situ and, where appropriate, of explaining their historic and social context rather than removal.

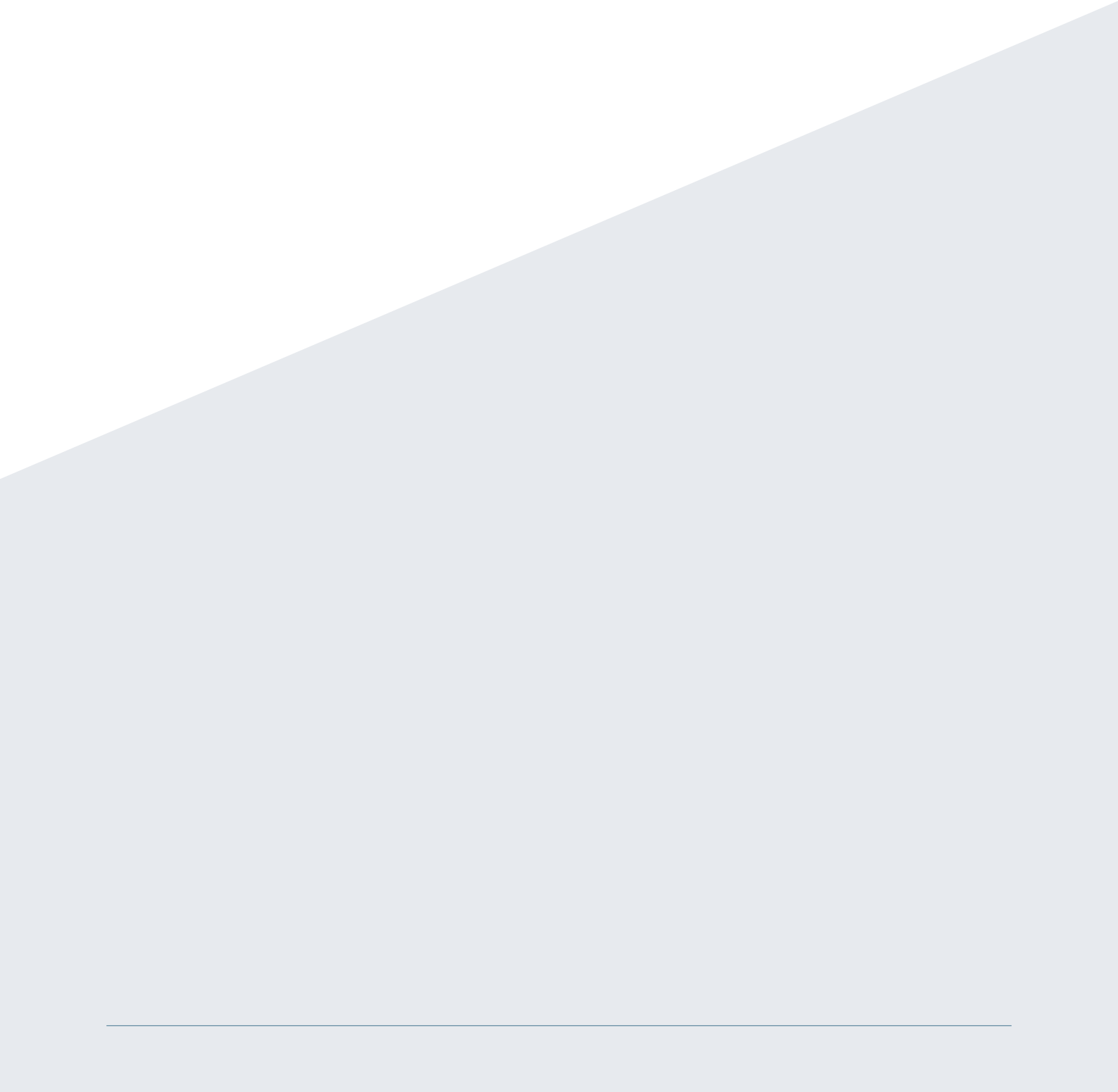
Considering potential impacts

199. 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.
200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional⁶⁸.
201. 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 total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- 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 through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
202. 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, where appropriate, securing its optimum viable use.
203. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
204. 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.
205. Local planning authorities should 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 accessible⁶⁹. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.
206. 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 the asset (or which better reveal its significance) should be treated favourably.

68 Non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets.

69 Copies of evidence should be deposited with the relevant historic environment record, and any archives with a local museum or other public depository.

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207. Not all elements of a Conservation Area or World Heritage Site 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 201 or less than substantial harm under paragraph 202, 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.
208. 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 disbenefits of departing from those policies.
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Appendix IV

Canning Street Conservation Area, Liverpool

Designated 22nd December 1971; (Extended 17th November 1976)

(Boundary amendment 24th April 1996)

Source: Liverpool City Council

The following describes the characteristics of the conservation area and the success of prolonged public sector investment combined with resident's contribution to the restoration of this area of Liverpool that contains the most extensive and probably the finest area of late Georgian housing in the north of England.

The Canning Street area was laid out on an area known as Mosslake Fields on the edge of the expanding city of Liverpool in 1800 by the Corporation Surveyor, John Foster Senior. Streets and squares were laid out to an approximate grid pattern and the blocks developed on a speculative basis.

The estate was completed during the 1830s and formed part of a large swathe of fashionable housing around the commercial centre of the city. Most of this housing has been lost to successive development and clearance, but the Canning Street conservation area survives.

The houses were built for the rapidly growing numbers of successful merchants and ship owners. They were generously built mostly with three storeys above a basement. Despite the relatively long period over which the area developed, the scale and style of the buildings is remarkably constant. Long terraces of late Georgian-style houses with restrained neo-Classical detailing dominate. In particular the consistent proportions of window openings and almost universal use of string courses and cornices is striking. Many of the buildings retain fine interiors. The treatment of corner sites with individual 'bookend' buildings terminating terraces is a particular characteristic, although a few corners are occupied by free standing landmark buildings, in a variety of styles. The majority of the buildings are listed Grade II, with those in Percy Street and part of Gambier Terrace being listed Grade II*.

(The entire length of Gambier Terrace together with the terraces of 51-71 Hope Street and 2-12 Huskisson Street have recently been transferred from the Rodney Street Conservation Area to this Conservation Area as part of a review undertaken as part of the preparation for the Unitary Development Plan (Draft for Deposit) April 1996).

The area consists of broad streets of tall houses, (e.g. Canning Street, Catharine Street and Huskisson Street). Behind these are narrow access roads revealing a jumble of outriggers, service buildings and coach houses. The deepest blocks contain within them further streets of modestly proportioned two storey houses. Canning Street itself leads into the principal open space in the area, Falkner Square, which was laid out in 1835 and consists of formal gardens surrounded by mature trees and railings, filling an entire block in the grid of streets.

The houses are predominantly of brick construction with frontages of semi-smooth red brick or a softer brown brick, incorporating details in local sandstone, while the backs are built of the soft brown local brick. A significant number of terraces however, are stuccoed, especially to the East of the area, while a smaller number of exceptional quality are of sandstone ashlar. Common throughout is the use of cast iron balconies and railings, vertically sliding timber sash windows, fine timber doors and door cases, and low pitched Welsh slate roofs, partially hidden behind a blocking course.

The Conservation area is essentially an urban area where hard surfaces predominate. Many pavements in the area retain their original massive Yorkstone slabs and granite kerbs. Smaller streets are mainly paved with original squared grey granite setts. This lack of greenery on the streets is strongly contrasted with spaces such as Falkner Square and occasional private gardens, which provide an oasis of green. Many of the small back yards contain trees and creepers which provide splashes of colour adding to the informality of the back streets.

Most views within the area are closed either by oblique views of a terrace as the street turns on the skewed grid or by a T-junction presenting the full elevation of a few houses. Towards the West the ground drops towards the Mersey providing a panorama of the river, the Wirral and North Wales. Many views in the area are dominated by the tower of the Anglican Cathedral above the rooftops. The area has distinct edges presenting a strong image as the area is approached, especially that formed by Gambier Terrace which also provides the setting for the Cathedral.

Subsequent development in the area is limited and much of the more recent development has been relatively sympathetic. Where a loss of character has occurred, it is most often through dereliction and the clearance of buildings.

Funding

Canning Street Conservation Area Partnership Scheme 1994 – 1997

(EH/ City Challenge)

60 plus schemes completed.

Grant rate up to 60% towards the cost of eligible works.

Estimated development costs £4.1m.

English Heritage Section 77 grant programme*

(Liverpool - Approved Programme Town Status)

Over the financial years, 1989/90, 1990/91, 1991/92 and 1992/93 an estimated £1.2m of grant aid was paid to owners/occupiers of historic buildings.

Estimated private sector contribution £2.4m

Grant aid was made available within 9 of the City's 32 Conservation Areas.

(Canning Street, Rodney Street, Mount Pleasant, Edge Hill, Princes Road, Princes Park, Sefton Park, St Michael's Hamlet and Lark Lane)

Grant rate up to 25% towards the cost of eligible works.

(* The Section 77 Grant Programme operated from 1978 to 1993 and it is estimated that 500 properties in Liverpool have benefited from English Heritage's assistance.)



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