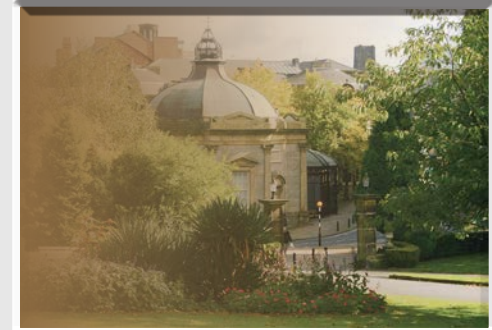
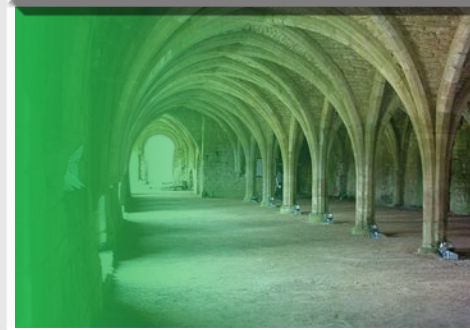
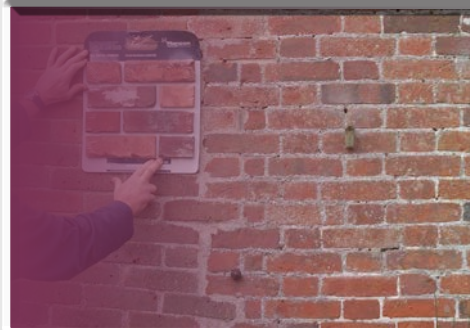


# Harrogate District Heritage Management Guidance

SUPPLEMENTARY PLANNING DOCUMENT

November 2014



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# Managing heritage

This Heritage Management Strategy has been prepared in line with national policy and guidance. It sets out the direction for management of the historic environment, explaining the threats and setting out priorities for the council to ensure that the vision and objectives for the district's historic environment are achieved and maintained in the long term. The strategy sets out the key opportunities for future involvement and joint working with stakeholders and the challenges that must be addressed for the benefit of future generations.



*Fountains Abbey World Heritage Site, a component of our heritage designated as having international importance*

The district contains international, national and locally designated assets that are recognised for their high quality landscape, architectural and historic interest. These contribute to the special character and quality of the Harrogate district. The vision and objectives of the council with regards to the environment are set out in the Core Strategy, a Development Plan Document (DPD) within the Local Plan. This Heritage Management Strategy focuses on two of the Strategic Objectives of the Core Strategy, which are:

*“18. To protect and enhance the built and natural environment, including biodiversity and landscape character, giving special protection towards those areas and buildings of recognised importance.”*

*“19. To encourage exemplar design quality, to safeguard the distinctive character of the district's settlements and minimise impact on the environment, particularly in sensitive areas.”*

The vision of the council, with regards to the district's heritage and the way in which it is managed within the planning system, can be summarised as:

## The Vision:

**‘The heritage of Harrogate district is to be conserved, enhanced, utilised and accessible for present and future generations through understanding, recognition and consideration of its valuable assets.’**



## Aims of the Heritage Management Strategy

This section sets out the strategy's aims and supporting actions:

### 1. To raise the profile of the value of the historic environment and its potential

- 1.1 The district's historic environment is an asset of cultural, social, economic and environmental value – it is an asset for the regional economy, on which the tourism, development and construction industries depend. It makes a significant contribution to our quality of life and the quality of our places and it is a source of pride.
- 1.2 The inherent values of the historic environment have an important role to play in shaping our future and in helping the council to achieve many of its broader goals. It can be a powerful driver for economic growth, attracting investment and tourism, and providing a focus for successful regeneration. Alongside high quality new design, the historic environment is an essential element in creating distinctive, enjoyable and successful places in which to live and work.
- 1.3 The historic environment has a fundamental role to play in assisting the council to meet one of the greatest challenges for the future. By promoting the inherent sustainability of historic buildings and their surroundings and by learning from them and other evidence of the low carbon economies of the past, the council can make real progress in helping to mitigate and adapt to climate change. Through informed, careful adaptation and reuse of historic buildings, we can not only reduce the amount of energy expended in creating new development, but also achieve

greater energy efficiency, sustaining the utility of historic places into the future.

### 2. To ensure that the council fulfils its statutory responsibilities

- 2.1 The council, as Local Planning Authority, has statutory responsibilities for heritage protection through the planning process. In particular the council has statutory duties under the Planning (Listed Buildings and Conservation Areas) Act.
- 2.2 There is a duty to designate conservation areas and to prepare preservation and enhancement proposals for each and keep them under review. The council is committed to working collaboratively with stakeholders to deliver the enhancement proposals detailed in the Conservation Area Appraisals in order to manage change effectively. The council should provide specialist advice on pre-application enquiries, applications and appeals affecting buildings or land in conservation areas. When making decisions on applications affecting conservation areas, the authority shall, in accordance with the Act, pay special attention to the desirability of preserving or enhancing the character and appearance of the area.
- 2.3 The council will provide specialist advice on pre-application enquiries, applications and appeals affecting listed buildings. When making decisions on applications affecting listed buildings, the authority shall pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The council may serve notice to owners of buildings to remove any

unauthorised works, and may prosecute owners who have damaged the special interest of the building without consent. The council may serve notice on owners outlining repairs to be carried out that are necessary for the preservation of the building and, if not complied with, compulsory purchase the building.

- 2.4 Applications for works affecting Scheduled Ancient Monuments are dealt with by English Heritage, however the council are leaseholders of Knaresborough Castle and therefore must have regard to the Ancient Monuments and Archaeological Areas Act 1979 as property managers, and also must have regard to the Act when considering planning applications that may affect ancient monuments.

*For more information relating to designations, please see Appendix C and for more information on relevant legislation, please see Appendix D of this document.*

### 3. To seek a wider involvement in our heritage, to increase awareness and education

- 3.1 The council recognises that the full potential of the historic environment can only be realised if we work closely with our partners and the wider community throughout the public, private, and voluntary sectors. The council seeks to encourage wider involvement in our heritage, recognising that the historic environment can be a significant focus for the local community, helping to bring people together, to define local identities and to foster a new understanding of our communities.



3.2 The council considers that everyone should have the opportunity to contribute their knowledge of the value of places and to participate in decisions about their future by means that are accessible, inclusive and informed. As such, the council seeks to encourage informed and active participation in caring for the historic environment.

4. To work closely with partners to maximise the potential to preserve and enhance the historic environment

4.1 Caring for our heritage is not something that the council can do in isolation. The council does have a significant role to play in setting strategic priorities and carrying out its responsibilities. However the vast majority of our heritage is owned and cared for by private individuals, faith communities and charitable bodies, so achieving the council's aims requires strong and effective partnerships.

4.2 Central government has responsibility through legislation and national policy to ensure that the system of heritage protection is effective, proportionate and fair. English Heritage, in its capacity as the government's expert adviser on the historic environment, provides information and advice to the public and supports local authorities in managing the heritage assets in their care through information, guidance, training and specific advice on planning applications relating to the most important listed buildings. Voluntary sector heritage organisations possess a wide range of highly specialised knowledge and can play an active role in local place-making.

4.3 A large proportion of the district's historic environment is in charitable or private ownership. The council recognises the role that all owners play in caring for the nation's heritage. While there are some significant historic estates, many listed buildings and structures are modest in scale and some are owned by people of limited means. The council does not normally have the financial capacity to grant aid enhancements or repairs to heritage assets at risk, but by creating partnership schemes may take advantage of various external sources of funding available to preserve and enhance the historic environment.

4.4 A large part of the district is in the Nidderdale AONB; the council works in partnership with AONB officers. This strategy supports the AONB Management Strategy, and particularly the Nidderdale AONB Heritage Strategy 2009-2014.



5. To better understand the significance and contribution of heritage assets for informed decision making

5.1 Understanding and articulating the value and significance of the district's historic environment is necessary to inform decisions about its future. The degree of significance determines what, if any, protection, including statutory designation, is appropriate under law and policy. The significance of our heritage embraces all the diverse cultural and natural heritage values that people associate with it, or which prompt them to respond to it.

*For more information on 'Understanding Significance,' please see Chapter 4 of this document.*

6. To recognise local distinctiveness and its contribution to our special sense of place

6.1 The district's historic environment encompasses pre-history through to

the present age. The urban and rural environments of the district have all evolved differently, providing the present generation with a diversity of locally distinctive landscapes and settlements. The council recognises the importance of characteristics, qualities and features of the historic environment that contribute to the local distinctiveness of the district's urban and rural settlements. The council is committed to maintaining high quality, locally distinct environments across the district as a means of maintaining and enhancing the significance of our designated and non-designated assets.

*For more information on 'Local Distinctiveness,' please see Chapter 3 of this document.*

7. To provide a framework for heritage management to ensure change is well managed

7.1 To fully realise its potential, it is vital that the historic environment is actively managed and the contribution it can make to our collective aims is recognised. Change in the historic environment is inevitable, caused by natural processes and people's responses to social, economic and technological change. The care of our built inheritance has to be carefully balanced with the economic and social imperatives of the present – acknowledging that the two requirements are not mutually exclusive. The council recognises that change has to be managed intelligently if the heritage assets of the district are to have a viable and beneficial future. Well-managed change can bring with it the investment and necessary care to keep places in good condition.

7.2 Sustaining the value of the district's historic environment depends on creating in the present the heritage of the future, and on managing change in order to enhance and enrich the values of places for present and future generations.

8. To recognise threats to the historic environment and propose a strategy to reduce those threats

8.1 Often damage that occurs to the historic environment is small scale, but the cumulative impact on the special character of the place can be significant because of the lack of understanding of the positive contribution small features make. Occasionally, due to lack of understanding of the significance of a building or feature, significant alterations, or even demolition, result in permanent loss of the interest of an historic asset. Certain areas of the district are under greater threat of development for various social, economic and technological reasons. It is important to review the historic environment to understand the various threats in order to propose solutions and reduce the threat to our special environment.

8.2 The National Planning Policy Framework (NPPF) seeks economic, social and environmental gains jointly and simultaneously. Pursuing sustainable development involves seeking positive improvement in the quality of the built environment. Substantial harm or loss should not be permitted unless it is demonstrated

that it is necessary to deliver substantial public benefits that outweigh that harm (paragraphs 8, 9 and 133 of the NPPF). The public benefits may be achieved with less or no harm through alternative design or location. Sometimes a degree of harm is necessary to enable change of use of the asset to its optimum viable use. The optimum viable use is either the sole viable use of the asset or, if there is more than one viable use, the use most consistent with its ongoing conservation. Enabling such a change of use can be a public benefit that outweighs the harm done.

8.3 Development that is contrary to established planning policy can potentially damage the significance of heritage assets. However, development may be allowed when the heritage benefits of the proposed development outweigh any harm caused by departing from the development plan or from national planning policies. An example of this is called Enabling Development. It should ensure that benefits for the historic environment are secured whilst at the same time mitigating any other harm caused by the development.

*For more information on 'Alterations to Historic Buildings,' please see Chapter 8 of this document.*

9. To preserve and enhance heritage assets of significance

9.1 The council recognises that our heritage assets are irreplaceable and identifies the importance of conserving, and where appropriate, enhancing the historic environment. The historic environment cannot be conserved without ensuring the repair of heritage assets to stave off the natural causes of decay. Maintenance works are required to ensure the proper preservation of any building, feature or landscape. It is important that the council offers advice to owners as to how they can repair and maintain their property in a manner that does not harm the historic fabric or significance of the asset.

9.2 Visual survey work in the main settlements of the district and all Conservation Areas has shown that there are areas in need of enhancement. Property owners and, where appropriate, the community are to be encouraged to carry out works to enhance the character and appearance of their area. Such improvements can often then be the catalyst needed to make other property owners carry out their own maintenance, repairs or enhancements; as a consequence, an enhanced area may attract investment, leading to, for example, regeneration.







## Chapter 1: Introduction to guidance

# 1. Introduction to guidance

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## Purpose of Guidance

- to provide a framework to help ensure the conservation of Harrogate's heritage assets
- to enhance or reinforce those characteristics of the environment that contribute to its high quality

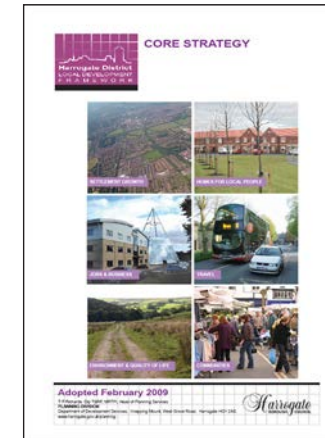
## This chapter should be read in conjunction with:

- Chapters 1 to 10 held in this document
- Appendices A to Q held in a separate document, which provide factual information and links to sites of heritage and other agencies.

- 1.1 This Guidance was approved by the Cabinet Member for Planning, Transport and Economic Development on 19th November 2014 as a Supplementary Planning Document (SPD) in order to provide detailed advice for decision makers, applicants and other interested parties involved in the planning process. It supports the policies of the Core Strategy, particularly EQ2, and will support heritage and design policies of the emerging Local Plan by providing more detailed guidance on how the policies relating to heritage and local distinctiveness will be applied.
- 1.2 The document has undergone full consultation (see Appendix Q). The necessary changes to the text have been carried out and illustrations added for clarity. These amendments are not significant and no further consultation was needed. Note Chapter 11 on Townscape Improvement Areas in the consultation draft is omitted from this document because policy IN4, which it supported, has not yet been adopted.
- 1.3 Having undergone such consultation, this SPD consequently is a material consideration in the determination of planning applications and appeals.

- 1.4 Government guidance in the National Planning Policy Framework (NPPF) sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. Further discussion on NPPF is included in Appendix B.
- 1.5 There are three dimensions to sustainable development: economic, social and environmental. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life.
- 1.6 Two of the core principles that are set out in the NPPF, which are particularly relevant to this SPD, are that planning should:
- 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; and
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 1.7 The NPPF states that **“Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area”**.
- 1.8 This SPD also addresses design principles set out in the NPPF that state that planning decisions should aim to ensure that new developments:
- a) establish a strong sense of place;
  - b) respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
  - c) create safe and accessible environments;
  - d) address the connections between people and places;
  - e) integrate with the historic environment; and
  - f) promote or reinforce local distinctiveness.

- 1.9 Harrogate Borough Council's Core Strategy sets out, in Policy EQ2, that "The district's exceptionally high quality natural and built environment will be given a level of protection appropriate to its international, national and local importance". There is therefore a presumption in favour of the conservation of designated heritage assets and the more significant an asset, the greater the justification required for any harm to its significance. Discussion on the Harrogate Local Plan and detailed information on the policies is included in Appendix B.



*The council's Core Strategy.*

- 1.10 In accordance with the NPPF, where development is proposed that would lead to substantial harm to assets of the highest significance, this should be wholly exceptional; and substantial harm to all other nationally designated assets should be exceptional. In all cases any harm to heritage assets should be weighed against the public benefits of the proposal.
- 1.11 Where less than substantial harm would result from a development affecting a heritage asset of moderate significance (which is often the case in regard to alterations or extensions to grade II listed buildings or non-designated assets of local importance), the council will weigh that harm against the public, not the private, benefits of that proposal. Proposals stemming from an occupant's wishes for additional or altered accommodation will be judged against the same criteria and only those that cause little or negligible harm will be allowed. Where no harm would be caused to the asset (and no other planning considerations restrict the granting of permission), development will be allowed.



## Designations

1.12 The heritage designations referred to in this SPD include:

- World Heritage Site (see also Buffer Zone)
- Scheduled Ancient Monuments
- Listed Buildings
- Conservation Areas
- Registered Historic Parks and Gardens
- Registered Battlefields
- Nidderdale Area of Outstanding Natural Beauty (not a heritage designation)
- Non-designated Archaeological Remains\*
- Non-Designated Buildings, Structures or Features\*

\* These are not nationally recognised designations, although they may be of high significance such that they are of local, regional or even national interest.

1.13 Full details of heritage designations and how to access information regarding individual assets are set out at Appendix C. See also section 2, which defines the term “setting”. Additionally, guidance on the information that should be submitted with applications for development types is included at Appendix K Validation Criteria.

1.14 The different types of designation applicable to the historic environment, together with a statement explaining the level of protection that will be afforded to each, is set out below:

### World Heritage Sites

1.15 A World Heritage Site is a designated heritage asset of international value. There is one World Heritage Site in the Harrogate district, which is Fountains Abbey and Studley Royal near Ripon, which was inscribed in 1986 by UNESCO.

1.16 Inclusion on the list of World Heritage Sites does not bring any different consent regime but the importance of the WHS is a material consideration to be taken into account in determining planning applications and appeals. The Statement of Outstanding Universal Value, drawn up by English Heritage and the National Trust, provides a crucial reference for those making



*Fountains Abbey.*

decisions that affect the World Heritage Site. A key reference document is the Fountains Abbey and Studley Royal World Heritage Site Management Plan, which together with the Statement of Outstanding Universal Value is held on the National Trust’s website at [nationaltrust.org.uk](http://nationaltrust.org.uk)

1.17 World Heritage Sites are classed as Article 1 (5) Land in the General Permitted Development Order, which limits permitted development rights within the World Heritage Site.

1.18 A Buffer Zone for Fountains Abbey and Studley Royal World Heritage Site was approved by the World Heritage Committee in 2012. Note the Buffer Zone is subject to review. A buffer zone is defined by UNESCO as an area surrounding the World Heritage Site, which has restrictions put on its use and development to give an extra layer of protection. The intention is to safeguard those elements that contribute to the Outstanding Universal Value of the World Heritage Site. The buffer zone does not bring any additional planning controls but will be a material consideration to be taken into account in determining planning applications and appeals. See link to map of the World Heritage Site and buffer zone in Appendix C.



1.19 **General principles for development that would affect the World Heritage Site including development in its Buffer Zone:**

- a) Development that would cause substantial harm to the significance of the World Heritage Site (its Outstanding Universal Value) will be allowed only in wholly exceptional circumstances;
- b) Development proposals that are likely to have an impact upon the World Heritage Site or its setting will be permitted only where it can be demonstrated that the scheme will conserve those elements, which contribute towards its Outstanding Universal Value;
- c) New development within the World Heritage Site or affecting its setting should incorporate the highest standard of landscape and architectural design;
- d) Key views and vistas will be protected. There will be a strong presumption against tall or very large buildings within the World Heritage Site or its visual setting;
- e) Development within the World Heritage Site Buffer Zone that would adversely affect the significance of the World Heritage Site, and particularly affecting key views, will be allowed only in exceptional circumstances;
- f) Development proposals within the Buffer Zone will be permitted only where it can be demonstrated that the scheme will conserve those elements, which contribute towards the Outstanding Universal Value of the World Heritage Site.

### Scheduled Ancient Monuments

- 1.20 A Scheduled Ancient Monument is of national value by reason of its historic, architectural, traditional, artistic or archaeological importance. Protection is granted to everything that forms part of the land and buildings within the boundary as shown on the schedule entry, unless expressly excluded, such as modern-day road surfaces.
- 1.21 Any works to a monument, or works that might otherwise affect it; require scheduled monument consent from the Secretary of State, (not the local planning authority). English Heritage manages the process of scheduled monument consent on behalf of the Secretary of State. This requirement is in addition to any requirement for planning permission.



*Knaresborough Castle.*

1.22 **General principles for development that would affect a Scheduled Ancient Monument:**

- a) Scheduled Ancient Monuments will be conserved and, where appropriate, enhanced;
- b) Development will not be allowed that would destroy Scheduled Ancient Monuments or their settings;
- c) When considering applications for development on or affecting the setting of a monument, the overriding consideration will be the effect on the significance of the heritage asset.

## Listed Buildings

- 1.23 A Listed Building is of national value by reason of its special architectural or historic interest. The list of buildings of special architectural or historic interest also includes structures, such as bridges or statues. There are three grades of listed building, which are grade I, II\* or II. Whilst the different grades serve to highlight levels of significance, all listed buildings are treated the same in terms of the law.
- 1.24 The whole of any principal building is listed, including the interior. Any pre-1948 objects, structures and buildings that formed part of the land within the curtilage of the principal listed building at the date of listing, and were ancillary to the principal building are considered to be part of the listing, and consequently treated as listed buildings in their own right.
- 1.25 Listed Building Consent is required if proposed works will affect the special interest of the listed building. See Section 8 and Appendices C and D for more detail on the types of works that would require Listed Building Consent. When considering applications for development to, or affecting the setting of, a listed building, the council's overriding consideration will be the effect on the significance of the heritage asset.



*St. Paul's Church, Healey.*



*The Crown Hotel, Pateley Bridge.*

### 1.26 General principles for development that would affect a Listed Building:

- The total or substantial demolition of a listed building will be permitted only in exceptional circumstances;
- Proposals that would cause substantial loss to the significance of a listed building will be permitted only where this harm is outweighed by the public benefits of the proposal;
- Listed Buildings will be conserved and, where appropriate, enhanced. Loss of any significance should be minimised, and will be permitted only where any harm is justified by the public benefits of the proposal.
- New development affecting a listed building or its setting should incorporate high quality design.



- 1.27 Where it is appropriate to grant consent for demolition, there shall be a condition, or legal agreement, to provide that demolition shall not take place until a contract for the carrying out of works for redevelopment has been let and planning permission for those development works has been granted.



Ripley Conservation Area.

### Conservation Areas

- 1.28 Conservation areas are designated by the Local Planning Authority. They are areas of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance.
- 1.29 Conservation area designation introduces a general control over the demolition of unlisted buildings and planning permission is required for proposed demolition.
- 1.30 The Town and Country Planning (General Permitted Development Order) (GPDO) requires the submission of planning applications for certain types of development, which are elsewhere classified as permitted development. These include various types of cladding, the erection of dormer windows and satellite dishes. The size of extensions that may be erected without planning consent is also more restrictive in conservation areas. Further information is provided in Appendix C.
- 1.31 Any work planned to a tree in a conservation area must be notified to the local planning authority at least six weeks in advance so that the local planning authority may assess whether to make a tree preservation order.
- 1.32 The council has withdrawn permitted development rights for a prescribed range of developments that affect the external appearance of buildings in certain conservation areas by the use of a direction under Article 4 of the GPDO. See Appendix I for details of these Article 4 Directions.
- 1.33 The council has produced a Conservation Area Appraisal (CAA) for each of its conservation areas, which can be found in the planning section of on the council's website [harrogate.gov.uk](http://harrogate.gov.uk) The Appraisal provides information and guidance to those wishing to carry out works in the conservation area. The document provides evidence of the character of the area, and the Appendix entitled Management Strategy provides specific advice for development (see Managing Change) and enhancements needed. It is important to understand that the buildings and features included on the concept maps are not exhaustive and there are other buildings or features that contribute positively to the character and appearance of the area.
- 1.34 Conservation Area Character Appraisals are a material consideration when determining planning applications and appeals for development or demolition within conservation areas or their settings.
- 1.35 **General principles for development that would affect a conservation area:**
- Proposals in or affecting the setting of a conservation area should preserve or enhance those elements that make a positive contribution to the special character and appearance of the area;
  - Development should be in accordance with the guidance on Managing Change in the relevant Conservation Area Appraisal;
  - Demolition or other substantial loss to the significance of a building or feature that contributes positively to the conservation area will be permitted only where this harm is outweighed by the public benefits of the proposal;
  - Development of public or private open space that contributes positively to the conservation area will be permitted only where this harm is outweighed by the public benefits of the proposal;
  - The removal of trees that provide substantial visual amenity will require strong justification.

- 1.36 Where it is appropriate to grant consent for demolition, there shall be a condition, or legal agreement, to provide that demolition shall not take place until a contract for the carrying out of works for redevelopment has been let and planning permission for those development works has been granted.
- 1.37 Justification for the removal of trees would include, for example, removing a potential danger to the public, or the erection of new development that has such public benefit that it outweighs the harm to the amenity of the conservation area.

### Registered Historic Parks and Gardens

1.38 English Heritage has compiled a register of “gardens and other land” situated in England that are of special historic interest, and these assets are of national value. There are three grades of registered Parks and Gardens (I, II\* or II) and these serve to highlight significance of the place. There are a number of registered parks and gardens in the Harrogate district, see Appendix C.



*The fountain at Hackfall*

1.39 A registered park or garden is not protected by a separate consent regime, but great weight will be given to its conservation in the consideration of applications for planning permission. When considering applications for development in or affecting the setting of a historic park and garden, the overriding consideration will be the effect on the significance of the heritage asset.

#### 1.40 **General principles for development that would affect a Registered Historic Park and Garden:**

- a) Development should not detract from the enjoyment, layout, design, character, appearance or setting of that landscape, cause harm to key views from or towards these landscapes, or where appropriate prejudice their future restoration.

### Registered Historic Battlefields

1.41 English Heritage, under the National Heritage Act 1983, maintains a Register of Historic Battlefields. Harrogate district contains three historic battlefields; each is of national interest, see map in Appendix N.

1.42 The identification of an historic battlefield imposes no specific obligations on landowners, and they are not subject to a separate consent regime. When considering applications for development on or affecting the setting of a historic battlefield, consideration will be given to the effect on the significance of the heritage asset.



*Memorial at Marston Moor Battlefield.*

#### 1.43 **General principles for development that would affect a Registered Historic Battlefield:**

- a) Development on, or affecting the setting of, a historic battlefield should not adversely affect the historic or archaeological interest of the site, nor should it prejudice any potential for interpretation of the site.





*View down to Lofthouse.*

### Nidderdale Area of Outstanding Natural Beauty (AONB)

- 1.44 The special quality of the landscape was formally recognised by the Government on 14 February 1994, when it was designated as an Area of Outstanding Natural Beauty. The primary purpose of AONB designation is to conserve and enhance natural beauty. Further information is contained in the Nidderdale AONB Management Plan held on [nidderdaleaonb.org.uk](http://nidderdaleaonb.org.uk) The AONB is shown within
- 1.45 The Nidderdale AONB's landscape is diverse and contrasting. The scenery to the west is dominated by heather moorland. To the east, as it broadens and flattens, the landscape is softer and more pastoral with historic parks and gardens, like Studley Royal (with Fountains Abbey) and country houses such as Swinton Castle.
- 1.46 Nidderdale AONB is a working landscape that has been shaped by centuries of human activity. It is a rich and complex historic environment and so whilst the AONB is not a heritage designation, the majority of assets within the AONB are heritage assets of national or local interest, and are consequently

of considerable significance. The predominant use of local gritstone for walling and slate roofing materials gives buildings a robust character and colour that is locally distinct. This consistency contributes to the special quality of the landscape.

- 1.47 AONBs are not subject to a separate consent regime, however when considering applications for development, consideration will be given to the overriding objective of maintaining the landscape. AONBs are classed as Article 1 (5) Land in the General Permitted Development Order, which limits permitted development rights within the AONB.

#### 1.48 **General principles for development in the AONB:**

- a) Within the Nidderdale AONB, priority will be given to the conservation of the natural beauty of the landscape;
- b) Development proposals will be expected to demonstrate high standards of design, which should reflect local distinctiveness and, where appropriate, mitigation to ensure the continued protection of the special qualities of the AONB.



*Toftgate Lime Kiln, Greenhow.*

## Non-Designated Archaeological Remains

- 1.49 Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them. Unlike other heritage assets, their presence is not always apparent and consequently it is important to carry out research before making any application for development. Brief information on known archaeological interest in the district is included in Appendix N. Local information can be found in the Historic Environment Record (HER), formerly known as the Sites and Monument Record, which is maintained by North Yorkshire County Council at [northyorks.gov.uk/her](http://northyorks.gov.uk/her). There are also a number of other databases, including the Heritage Gateway [heritagegateway.org.uk](http://heritagegateway.org.uk)
- 1.50 The HER is a system of recording information such as historic sites and monuments, archaeological sites and finds, historic landscapes and other features in the landscape. Much of the information held at County Hall is not computerised and consequently application to interrogate the HER should be made to the County. The Heritage Gateway contains digital information on line in regard to monuments included in the HER. The County's Historic Environment Team can also provide guidance and interpretation to assist in understanding the record. See also North Yorkshire County Council's Historic Landscape Character Assessment and links to historic maps.
- 1.51 Non-designated heritage assets are not subject to a separate consent regime, however when determining applications for development affecting non-designated archaeology consideration will be given to the effect on the significance of the heritage asset. Some remains, although not scheduled, may be of national interest.
- 1.52 If development is proposed in an area believed to contain remains, an archaeological investigation will be required. The level of detail of the assessment should be proportionate to the potential importance of remains and must be sufficient to understand the likely impact of any development proposal on their significance. Where necessary, a field evaluation will be required in addition to an initial desk-based assessment. Research, evaluations and assessments should be carried out in accordance with the guidance set by the Institute for Archaeologists. Further information is included in Appendix N.
- 1.53 Guidance and information on the content of a written scheme of investigation in regard to building archaeology is included in Chapter 9 titled 'Recording Historic Buildings – When is it necessary to record?' and Appendix E.

### 1.54 General principles for development that would affect Non-designated archaeological remains:

- a) Nationally important remains will be conserved and, where appropriate, enhanced;
- b) Where a development proposal will affect an archaeological site of less than national importance, development will be permitted where damage is mitigated and leaving remains in situ, or where this is not feasible, archaeological recording shall take place before any construction works are carried out and information is made publicly available.

## Non-Designated Buildings, Structures or Features

- 1.55 There are a large number of buildings, structures and historic features within the Harrogate district which, while not statutorily protected, are considered to be heritage assets of local architectural, historic, archaeological or artistic interest. These heritage assets make a substantial contribution to the significance,



*Small unoccupied cottage, Hampsthwaite.*

quality or local distinctiveness of a place. The council considers that many of these non-designated heritage assets merit recognition and are worthy of conservation for the benefit of future generations.

- 1.56 Guidance is provided to identify the heritage assets that are significant, which may be affected by their development proposals, in Chapter 5 titled 'Selection Criteria for Non-Designated Heritage Assets'. These criteria will serve to clarify each of the categories of interest and degrees of significance and put forward a process of heritage asset identification to be used by the council. The potential for sensitive adaptation or re-use of buildings that contribute to local distinctiveness is an important consideration.



1.57 Non-designated assets are not subject to a separate consent regime; however the effect of proposed development on the significance of a non-designated heritage asset will be taken into account in determining the application. A balanced judgement will be made having regard to the scale of harm and the significance of the asset or part thereof affected by the proposals.

1.58 'Local distinctiveness' is an umbrella term for all of those elements, which give a place its character, sense of place and identity. In line with the NPPF, the council will seek to promote local distinctiveness, ensuring that developments respond to local character and history. See Chapter 3, which explains local distinctiveness.

1.59 **General principles for development that would affect non-designated buildings or features:**

- a) There is a presumption against any development which would remove, demonstrably harm or undermine the significance of a non-designated asset, or its contribution to the character of a place, unless the public benefits of the development would outweigh the harm;
- b) New development should enhance or reinforce those characteristics, qualities and features of the environment that contribute to local distinctiveness within the district's rural and urban areas.

## Enabling Development

1.60 Enabling Development is development that would secure the future of a heritage asset, or assets, which would otherwise be contrary to other planning objectives. The English Heritage document entitled "Enabling Development and the Conservation of Heritage assets" provides further guidance, and is held on [english-heritage.org.uk](http://english-heritage.org.uk)

1.61 The council will require sound justification for enabling development, in order to ensure that any harm caused by allowing such development is demonstrably outweighed by the public benefits of allowing such development. Any submission with an application for enabling development should be accompanied by evidence to show why it is necessary, and: that these reasons arise from the inherent needs of a place, rather than the circumstances of the owner or developer; that subsidy is not available from other source (or is insufficient), and; a financial assessment to show the proposed development is the minimum possible. Further guidance on the

information that will be required to be submitted with an application for enabling development is included at Appendix K.

1.62 **General principles for enabling development:**

- a) Enabling development should not materially harm the heritage values of the heritage asset or its setting;
- b) It will secure the long term future of the place, and will avoid fragmentation of its management;
- c) It is demonstrated that the amount of development is the minimum necessary to secure the future of the heritage asset;
- d) The public benefit of securing the future of the asset through such enabling development demonstrably outweighs any conflict with national or local planning policies.

## Spa Waters of the District

1.63 The development of Harrogate owes much to the chalybeate (iron laden) springs found to have medicinal qualities, which started to attract visitors to the town in the sixteenth century. Harrogate's heyday as a spa town was in the years before WW1. During this time Ripon too was a spa health resort, although more modest in scale.



*St. John's Well on The Stray.*

1.64 The spa waters are not heritage assets, although the associated structures, such as well heads, pump rooms and spa baths are heritage assets and as such they should be conserved. The spa waters are none the less important to the district, and the extraction of them is encouraged, provided there is no adverse effect on the environment and any development conforms to national and local planning policy.

1.65 **General principles for development that would affect spa waters:**

- a) The design of the layout of new development should not prejudice the use of the district's spa waters.