

Tunbridge Wells Borough Local Plan



Local Heritage Assets

Supplementary Planning Document

Adopted June 2012

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About this Document

This Supplementary Planning Document sets out the criteria and process by which Local Heritage Assets can be nominated for inclusion on the List of Local Heritage Assets.

The actual List of Local Heritage Assets is an evolving schedule, which can be viewed on the Council's website at www.tunbridgewells.gov.uk, with paper copies available on request.

Please note that the illustrations included in the document do not represent actual or proposed Local Heritage Assets.

Tunbridge Wells Borough List of Local Heritage Assets

Introduction

1 Local Heritage Assets (LHAs) are resources that, although not considered significant enough for statutory protection, are of importance to the local community. Within the Borough of Tunbridge Wells there are currently almost 3,000 statutory listed buildings and structures, which enjoy protection at a national level. In addition to these nationally listed assets, there are also local features which have significance within the communities in which they are located. The purpose of creating lists of LHAs is to recognise and to protect these finite assets for the future.

2 There are a number of reasons why a LHA would be considered important by the community. It could be that it provides architectural interest, or is a significant local landmark. It could have an association with local historic events and people or have a particular cultural or literary association. LHAs do not have to be buildings; they can potentially include anything within the environment, such as archaeological sites, street furniture or even distinctive natural landscape features, iconic vistas, as well as designed parks or gardens. The section 'Criteria for Selection' on page 5 provides some further guidance.

3 In addition to protecting local heritage resources for the future, it is hoped that LHAs will also provide a platform for greater place/heritage-based community involvement. Local people should be allowed to decide what is of value to them and LHAs provide a means to achieve this. The various processes involved in LHA designation allow for more Local Heritage Partnerships to be formed, as well as helping to empower communities and strengthen local identity.

The logo for the Local Heritage Partnership is displayed in a light yellow box with a thin grey border. The text is arranged in three lines: 'Local' in blue, 'Heritage' in a larger, bold, dark red font, and 'Partnership' in blue.

4 The issuing of Planning Policy Statement 5: Planning for the Historic Environment (PPS5) in March 2010 provided a clear indication of the Government's objective for Councils to bring forward lists of Local Heritage Assets. The National Planning Policy Framework (NPPF) March 2011 has maintained the reference to Local Heritage Assets. This Supplementary Planning Document (SPD) makes clear the reasons for designating LHAs, as well as explaining the criteria, processes and effects of LHA designation. It provides guidance for those interested in nominating a LHA and information for individuals who may be affected by any future designations.

Purpose of the Document

5 This document provides a framework for all stakeholders and will enable evidence about significant local heritage assets to be compiled to create a better understanding and appreciation of local distinctiveness. Although it is recognised that many aspects of the environment have value (whether it be architecturally, culturally, historically, etc.), LHAs provide a clearer identification of the more relevant of these and help to acknowledge their particular significance to an area.

6 It is important to consider any implications on building design and development at an early stage in planning proposals. The timely identification of a LHA will aid this and contribute to plan making, through the Local Development Framework.

7 This document provides guidance on the criteria by which specific heritage assets will be identified, the process of their inclusion on the local list, their status and how they will be dealt with. It is intended principally for applicants and their agents, allowing identified LHAs to be taken into account at an early stage of development. Planning officers will also be aware of LHA lists, considering these assets as material evidence when determining applications.

8 It is hoped that recognition through a local list will encourage asset owners to take pride in their particular piece of local heritage, helping to preserve and maintain the assets for future generations to enjoy.

Status

9 This document constitutes a Supplementary Planning Document (SPD) and forms part of the Borough Council's Local Development Framework. Document preparation has followed the adopted Statement of Community Involvement and its preparation has been subject to the involvement of key stakeholders, as well as borough-wide consultation. This is set out on page 9 of this document.

10 Members of the Local Development Framework Working Party and Cabinet have been reported to, and the document has been formally adopted. See page 9.

11 This document and the associated ongoing list of LHAs has been approved by Tunbridge Wells Borough Council for development management purposes and will be a material consideration for the Council when making decisions on planning applications and in the preparation of planning policy.

Planning Policy Context

12 The compilation of a list of locally significant heritage assets is supported and encouraged by English Heritage and by guidance policies at both a national and local government level.

National Guidance

- The overarching policy context is set out in [The Government's Statement on the Historic Environment for England 2010](#). Two of the six strategic aims are of particular relevance:

Protective Framework: Ensuring that all heritage assets are afforded an appropriate level of protection, while allowing, where appropriate, for a well managed and intelligent change.

Public Involvement: Promoting ...people and communities are at the centre of designation and management of their local historic environment...

- The [National Planning Policy Framework](#) March 2012 (NPPF) sets out the Government's more specific planning policies and how these are to be applied. This has replaced and simplified previous relevant policy guidance particularly contained in PPS1 and PPS5.
- In terms of design quality, the Government attaches great importance to design of the built environment which responds to local character and history, and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation (part para. 58); also how planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.(part para. 61)

- Providing evidence base for plan making, for example, is set out at para.169, stating that local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain, or have access to, a historic environment record.
- Section 12 of the NPPF sets out a range of policies relating to the management of the historic environment. Of particular relevance is para. 135, which states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that affect (directly or indirectly) non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.
- The position of LHAs in planning decisions is further clarified in paragraph 15 of [Planning for the Historic Environment Practice Guide](#), which states that, although they lack the statutory protection of other designations, their formal identification by the local authority is material in planning decisions.
- **English Heritage Guidance:** In an effort to draw together good practice on local lists that currently operate across England, a [Good Practice Guide for Local Listing](#) (February 2011) has been created by English Heritage. This guide has been consulted in the development of LHA legislation for Tunbridge Wells Borough.

Local Guidance

- The adopted Tunbridge Wells Borough [Core Strategy](#) Development Plan Document (June 2010), at Core Policy 4, already recognises the importance of heritage assets. Additionally, as new information becomes available, it may be necessary to identify and designate additional features of merit. This SPD provides guidance on how to implement Core Strategy policy in respect of unlisted heritage assets.

"Tunbridge Wells Borough has some of the highest numbers of heritage assets in the South East, including listed buildings, conservation areas and historic parks and gardens. Together with local heritage assets, they provide a resource that contributes to creating a sense of place, which should be passed on to future generations. Conservation and enhancement of heritage assets, of which statutorily designated sites are a small fraction of the overall heritage resource, will therefore be central to the Borough Council's approach to the environment."

Vision 2026 is Tunbridge Wells Borough Council's Strategic Plan and states that *"The historic built environment that provides a powerful sense of identity will be maintained in good order and enhanced through high quality redevelopment of existing poorly built assets, set within an immaculate and distinctive public domain."*

Future Development Management Policy will set out more detailed policy. (See also para 17 of this document)



Criteria for Selection

13 The Local Heritage Assets List will include buildings, structures and landscape features. They should not be subject to any existing statutory protection and not be representative of a group which already enjoys significant local protection. Buildings or structures should be substantially unaltered and should retain the majority of their original features. For inclusion within the Local List, the Heritage Asset must comply with at least one of the criteria listed below:

1. The Heritage Asset demonstrates significant **Architectural and Artistic Interest**. This can be identified as:
 - Designed by an architect or engineer of local or national importance
 - Of a high quality design, displaying good use of materials and examples of features typical to that architectural period
 - Demonstrating good technological innovation
 - Representing a significant example of a locally distinctive building style or technique
 - Having an idiosyncratic built form or decorative detail
2. The Heritage Asset demonstrates a significant **Historic Interest**. This can be identified as:
 - Demonstrating a well documented association with a figure or event of significant local or of national importance
 - Reflecting the traditional functional character or former uses of the area
 - Belonging, due to age and/or rarity, to an at risk group

- Having particular literary connections
 - Having demonstrable archaeological value (including buried)
3. The Heritage Asset demonstrates local significance in the areas of **Social and Economic Development**. This can be identified through:
- Clearly reflecting important aspects of the development of the settlement
 - Providing 'totemic value' to existing local communities
 - Demonstrating links to a significant local industry or trade
 - Demonstrating an important cultural role within the local community
 - Providing a good, or unusual, example of local domestic heritage
4. The Heritage Asset positively contributes to **Townscape Character**. This can be demonstrated through:
- Providing a key local or national landmark
 - Positively contributing to the setting of an existing statutorily protected heritage asset
 - Playing an integral role within a significant local vista or skyline, or having demonstrable townscape value
 - Of significant aesthetic or group value
 - Providing a good example of early local town planning
 - Part of a designed landscape park or garden
 - Being distinctive or rare items of street furniture

Adding to the List of Local Heritage Assets

14 It is anticipated that potential LHAs within the Borough will normally be assessed on an area-by-area basis, usually in tandem with developing the evidence base for plan making, such as Town Centre Area Action Plans. However, there is also the possibility of a thematic approach, such as for parks and gardens, whereby particular attention and expertise can be brought to bear. There will still be opportunity, particularly where there is a pressing need, for extraordinary individual cases, not subject to the initial assessment schedule, to be considered. The intended schedule of assessment will be available to view on the Council's website.

- **Nomination:** A Parish/Town Council, Amenity Body, or individual can nominate a LHA. Before nominating an asset for inclusion, you should check that it is not already statutorily designated, such as a listed building or ancient monument. The online Historic Environment Record (HER) is a useful resource at www.kent.gov.uk/HER. The nomination form can be accessed and completed online. Information should be from reliable sources, with the 'Additional Information' section of the form used to provide any references relevant to the research. For an asset to be accepted it must fulfil at least one of the listed criteria; it is important that sufficient information to enable assessment is provided, as the panel do not have the capacity or detailed local knowledge to carry out extensive research. At this stage, applicants will be contacted if clarification is needed on any noticeably incomplete nomination forms.
- **Notification:** Reasonable effort will be made to contact owners of properties and structures nominated for LHA status, short of conducting extensive searches such as through the Land Registry. Postal notification and an eight-week online publication of the nomination (on the Borough Council's website) will be carried out. Comments on LHA nominations and correction of facts can be made during this period.

- **Assessment:** A local heritage panel consisting of experts selected and headed by the Borough Council's Urban Design Team Leader will normally meet twice yearly to determine LHAs for the Borough. The panel can also recommend assets for national listed status, or for Local Heritage Plaque designation. The panel's decision is final and challenges can only be made in light of new information and/or an elapse of five years; a review category for this will be added in time.
- **Inclusion:** Every six months, successful nominations will be entered onto the approved list available on the Council's website, together with information provided about each LHA. The LHAs will be searchable on the interactive map [LocalView - Heritage](#) and will also be identified on the county Historic Environment Record (HER) which holds comprehensive information on heritage assets (www.kent.gov.uk/HER). A more detailed process and timetable will be published on the Council's website.

Status of a LHA

15 The inclusion of a building on the Local List does not affect the normal planning rights, and permitted development rights remain unchanged. However, where an application is submitted to the Council for its alteration, extension or its demolition, the special interest of the building will be taken into consideration and its Local Listed status will be a material consideration when determining the application.

16 If a building **is not** statutory listed or in a conservation area, its demolition does not require planning permission, although the Council must be given notice if a residential property is involved. Planning permission is required for many new building works, as well as extensions over a certain size; alterations to non-residential buildings will generally also require permission. In exceptional cases, the local planning authority may consider the use of Article 4 Directions to remove permitted development rights.



Assessment of proposals for development involving LHAs

17 Local listing can play an important role in helping to influence planning decisions in a way that conserves and enhances local character. When considering a development proposal that involves a LHA, the Council intends to assess the proposal using paragraph 135 of the National Planning Policy Framework, and the following guidance:

- **Repairs:** Any repairs should be sympathetic in terms of design, materials and methods employed. Special attention should be paid to the retention and restoration of features that actively contribute to the LHA's designation.
- **Alterations and Extensions:** When planning alterations or extensions to LHAs, the character and appearance of the asset should be of primary concern. It is important that the asset is not harmed and that the alterations do not compromise any particular significant feature to which LHA designation was applied.
- **Setting:** It is important that new developments are seen to give careful consideration to LHAs, ensuring that LHA settings are not compromised. New developments should seek to conserve and enhance the setting of any LHAs relating to them.
- **Demolition:** Demolition should be seen as a last resort, as LHAs can often have a positive value and provide cultural continuity. The Borough Council will normally expect their sensitive and creative integration in proposals, particularly if they have the potential of providing a catalyst to local regeneration. Once accepted as a LHA, demolition will only be permitted where the loss of character resulting from the demolition of the LHA will be adequately mitigated through the good design quality of the replacement development.
- **Archaeology:** Where development may impact on a site of potential archaeological interest, an archaeological assessment should be included as part of the planning application process.

18 In assessing any proposals, the local planning authority will also have regard to relevant heritage guidance, such as [Conservation Principles Policies and Guidance](#) (English Heritage 2008).



Consultation

19 This document has been prepared in accordance with the guidance which was set out in [Planning Policy Statement 12: Local Spatial Planning](#) 2008 (PPS12) regarding preparation and consultation on Supplementary Planning Documents. The replacement National Planning Policy Framework 2012 reiterates the need for early and meaningful engagement.

Process

- Initial consideration by the Borough Council's Local Development Framework Members Working Party (LDF MWP) on 27 July 2010 and 14 December 2010.
- A pilot project was undertaken with local input by the Southborough Society.
- An informal draft was subject to key stakeholder inputs through a focused early engagement for six weeks between 5 September and 21 October 2011.
- The draft document was reported to LDF MWP on 15 November 2011 and the Cabinet Portfolio Holder for Planning and Transportation, who approved it as the basis for public consultation, (Decision [22 December 2011](#)).
- The draft document was subject to public consultation for a period of six weeks in accordance with the Council's adopted Statement of Community Involvement (30 January to 11 March 2012).
- A notice of public participation was placed in a local paper advertising the formal consultation period and where the documents were available.
- Responses to the consultation were reported to the Council's Cabinet on 14 June 2012, where it was adopted as a Supplementary Planning Document.

Contacts for further information

- Website (<http://www.tunbridgewells.gov.uk>) – internet access available at some local libraries in the Borough or at the Gateway
- Paper copies available on request: address - TWBC Town Hall Royal Tunbridge Wells Kent TN1 1RS
- For more information on the Local List, contact Officer responsible: Principal Conservation Officer, Mark Stephenson, email heritageassets@tunbridgewells.gov.uk
- If you wish to discuss any proposals other than repair that could potentially affect any building or structure on the Local List, please contact Gateway/Planning Duty Officer



If you require this document in another format, please contact:

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