

■ INTRODUCTION

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| <p>5.1 PPG15 and the White Paper 'This Common Inheritance' set out the Government's strong commitment to preserving the historic heritage. Towns, buildings, monuments and other historic sites create a sense of place and local identity. They provide echoes of the past and form tangible reminders of how our culture and society have developed. They provide the context which new developments should respect.</p> | <p>5.5 Many of the towns and villages in the Plan area are of high environmental quality and considerable character. This has been acknowledged with over 2000 listed buildings, 48 conservation areas and a Conservation Area Partnership Scheme currently operating. The number and range of buildings of historic and architectural interest add to the high quality environment of the District and contribute towards its culture and identity and to the quality of life of residents. Local interest in the historic heritage is very high and there are many groups concerned with the historic buildings and towns of the District. These features are also an attraction to visitors who contribute towards local prosperity. Tourists visit historic towns to experience attractive environments which have a unique and strong local character.</p> |
| <p>5.2 Historic buildings and conservation areas are a vitally important component of environmental quality and should receive very special attention when development proposals are made. In PPG15, the Government urges local authorities to maintain and strengthen their stewardship of the historic heritage by including suitable policies in their development plans.</p> | <p>5.6 This Chapter also contains policies for the protection of archaeological sites and historic battlefield sites. The approach followed is to safeguard important sites whether scheduled or not. Should development be permitted which affects archaeological sites, the approach will be to mitigate the impact of development and to ensure that an adequate record of threatened areas is made.</p> |
| <p>5.3 The policies for the historic heritage aim to safeguard the stock of buildings of historic and architectural interest and retain and enhance the character and appearance of conservation areas.</p> | |
| <p>5.4 A major issue affecting many historic buildings and most towns and villages is how to balance the demand for development with the need for conservation. It should always be recognised that the stock of historic buildings is finite, the Plan therefore places considerable emphasis on the retention of such buildings and the protection of conservation areas.</p> | |

OBJECTIVES

5.7 The Historic Heritage Policies of the Plan have the following main objectives:

1. To identify, preserve and enhance conservation areas.
2. To preserve and enhance listed buildings and other buildings which contribute to the heritage of the District.
3. To safeguard scheduled and unscheduled sites of archaeological importance.

DEVELOPMENT IN CONSERVATION AREAS

POLICY HH1

GENERAL POLICY ON CONSERVATION AREAS

Development within or affecting the setting of a conservation area should seek to preserve or enhance all features which contribute positively to the area's character or appearance. Special regard will be paid to the impact of proposed development on the character or appearance of conservation areas, and development likely to have an adverse impact on that character or appearance will not be permitted.

JUSTIFICATION

- 5.8 Conservation areas are defined as areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance (Planning (Listed Buildings and Conservation Areas) Act 1990). In Appendix 5 there is a list of conservation areas in the Plan area.
- 5.9 It is the special character of the area that is important and this character can be created by buildings, open spaces, trees, an historic street pattern, a village green, features of historic or archaeological interest, the mix of uses and vistas along streets and between buildings. It follows that development affecting any of these features could have an adverse impact on the character of a conservation area. Such adverse impacts will be resisted.
- 5.10 Many attractive streets or villages owe their character not so much to buildings of great individual merit but to the harmony produced by a whole range of buildings. Such areas require the same careful attention when proposals for redevelopment are under consideration, even if the redevelopment only replaces a building that is neither of great merit in itself nor is immediately adjacent to a listed building.
- 5.11 Changes of use may introduce additional traffic or create other changes which could adversely affect the character of a conservation area. The impact of such change needs to be carefully assessed.

POLICY HH2

DESIGNATION AND AMENDMENT OF CONSERVATION AREAS

The Council will regularly review existing conservation areas and may seek the amendment of their boundaries or the designation of further areas to take account of:

1. Listed buildings;
2. Groups of other buildings of interest;
3. Open spaces;
4. Trees;
5. An historic street pattern;
6. Village greens; and
7. Features of historic or archaeological interest.

JUSTIFICATION

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| <p>5.12 Local authorities are required to keep under review the need for additional conservation areas (Planning(Listed Buildings and Conservation Areas) Act 1990). The designation of conservation areas is carried out separately from local plan preparation and will involve further public consultation.</p> | <p>5.13 As part of the review process, character assessments of all existing conservation areas will be prepared. These will review the boundaries of the areas and identify those key elements which define thier character.</p> |
| | <p>5.14 These assessments will be approved as supplementary planning guidance, and will be used in the determination of planning applications.</p> |

POLICY HH3

DEMOLITION IN CONSERVATION AREAS

Proposals for the demolition of buildings which make a positive contribution to the character or appearance of a conservation area will not be permitted. In considering proposals to demolish buildings in conservation areas, the following matters will be taken into account:

1. The architectural or historic interest of the building and its contribution to the character or appearance of the area;
2. The viability of alternative uses for the building;
3. The design of any replacement building or feature, which will normally have received full planning permission before demolition is agreed.

Proposals would need to show that substantial planning benefits for the community would outweigh the loss resulting from demolition.

JUSTIFICATION

- 5.15 Older buildings add to the character of conservation areas. They illustrate, through their architectural style and use of materials, historic changes and influences on the appearance of the area. They are the area's collective memory.
- 5.16 It is, therefore, important that older buildings are kept and in general there will be a presumption in favour of retaining existing buildings in conservation areas. Consent will not normally be given for the demolition of buildings which make a positive contribution to the character or appearance of a conservation area. The demolition of buildings of less than 115 cubic metres volume does not require conservation area consent.
- 5.17 Where consent for demolition is granted, plans for the development of the site will need to have been approved prior to demolition and a contract for redevelopment signed.

POLICY HH4

NEW DEVELOPMENT IN CONSERVATION AREAS

New development within or affecting the setting, character or appearance of conservation areas should comply with all of the following criteria:

1. The position of the building on its site should relate to surrounding buildings and/or open space;
2. Materials should be appropriate to the area and in keeping with the surrounding buildings;
3. The mass of the building should be in scale and harmony with surrounding buildings and the area;
4. The design of the building should ensure that the proportions of the parts are in scale with each other and relate to adjoining buildings, while detailing should be appropriate to the building and the locality;
5. The development should not adversely affect the streetscape, roofscape, skyline and setting of the conservation area, or significant views in and out of the area;
6. The development should not adversely affect important open spaces as identified on the Inset Maps under Policy BD5.

In sensitive parts of conservation areas full applications will be required with detailed plans and elevations showing the new development in its setting.

JUSTIFICATION

- 5.18 In conservation areas it is essential that all new development is designed with particular care, to respect and relate to the historic and architectural context of its surroundings.
- 5.19 The design criteria of the Policy provide a checklist against which proposals for new development will be evaluated. The aim is not to impose a straitjacket on innovative design, but to encourage new buildings which respect the spirit of place, in terms of size, location, design and use of materials.

5.20 Outline applications do not always provide sufficient detail to allow the full impact of a development proposal to be assessed. Where new development would have a significant impact on the character or appearance of the area, applications should contain details of design, siting and materials and should show how a proposed building will relate to surrounding buildings and the street scene. The conservation area assessments will help to identify sensitive parts of conservation areas.

Bedale Market Cross

POLICY HH5

THE AMALGAMATION OF PLOTS AND BUILDINGS IN CONSERVATION AREAS

In conservation areas, where detriment to the character or appearance of the area would arise, proposals involving the following will not be permitted:

1. The demolition and redevelopment of buildings behind retained facades;
2. The amalgamation of adjoining buildings and plots.

Development will be required to respect the existing plot pattern, with schemes being designed as a series of plot width elements.

JUSTIFICATION

5.21 The character of many conservation areas is derived, in part, from the pattern of plot boundaries and plot layouts. Long narrow gardens, bounded by brick walls or hedges, terminated by back lanes are a typical feature of many conservation areas.

5.22 Where plots are amalgamated under a single ownership, there may be no need to retain physical boundaries, yet the loss of these brick walls and hedges results in a loss of character.

5.23 The demolition of buildings behind retained facades leads to a loss of character. Where buildings of obviously different dates and styles are amalgamated behind a retained facade, there is a loss of historic and architectural authenticity. The new use may also create increased traffic and parking to the rear, with consequent loss of boundary walls and other features.

POLICY HH6

ALTERATIONS TO BUILDINGS IN CONSERVATION AREAS

Proposals to alter an unlisted building in a conservation area which require planning permission, will be permitted where all of the following criteria can be met:

1. The proposed alteration is appropriate in design, scale, materials and colour to the rest of the building and its setting;
2. The alteration will help to retain the building in use and will not prevent the use of upper floors;
3. The alteration will preserve or enhance the character or appearance of the conservation area.

JUSTIFICATION

- 5.24 Conservation areas are defined as areas of special historic or architectural interest, the character or appearance of which it is desirable to preserve or enhance. Thus alterations to any building which would adversely affect the character or appearance of a conservation area will not be permitted. There may be situations where in order to maintain the character of the area, a relaxation of the Building Regulations or highway standards may be necessary (see Policies T6 and T14).
- 5.25 Alterations carried out under this Policy should not prevent the use of ground or upper floors for business or residential uses (see Policies S8, H17 and HH7).
- 5.26 All development in conservation areas, including 'permitted development', should aim to preserve or enhance the character of the area. Where 'permitted development' is leading to a loss of character within conservation areas, the Council will seek the approval of Article 4(1) Directions and will make Article 4(2) Directions (see Policy HH8).

POLICY HH7

CHANGE OF USE IN CONSERVATION AREAS

Subject to there being no significant adverse impact on residential amenity or traffic generation, a change of use will be permitted where this will enable the retention of a building of historic or architectural interest in a conservation area.

New uses should not create any serious adverse effect on the building or the surrounding area due to traffic generation, vehicle parking, noise, smell or other adverse environmental impacts.

Existing uses creating an adverse impact on the character or appearance of conservation areas will not be allowed to expand, and their relocation to appropriate sites elsewhere will be encouraged.

JUSTIFICATION

- 5.27 While the best use for a building is that for which it was designed, the key to retaining an old building may be in finding a new use for it. This may entail changes to the building which might affect its character. There may be circumstances where a change of use is acceptable, yet the degree of alteration to the building and to the conservation area would be unacceptable. In other cases, buildings may have undergone radical alteration and further alteration would not result in an unacceptable loss of character.
- 5.28 All physical alterations will be considered against Policy HH6.

POLICY HH8

ARTICLE 4 DIRECTIONS IN CONSERVATION AREAS

Where the character or appearance of a conservation area is threatened by alterations to unlisted dwellinghouses, Article 4 Directions removing certain permitted development rights will be made.

Article 4 Directions controlling alterations to windows, doors and roofs and the use of renders are to be sought in the following locations, as shown on the Inset Maps:

AREA	SETTLEMENT	INSET MAP
1. Uppleby, Market Place and Little Lane	Easingwold	34
2. South Parade	Northallerton	70
3. Sowerby Town End Terraces	Sowerby	124
4. Front Street	Sowerby	124
5. Stammergate, St James Green, Little Green, Ingramgate and The Crescent	Thirsk	124

The need for Article 4 Directions* elsewhere in other conservation areas will be kept under review.

* *Town and Country Planning (General Permitted Development) Order 1995.*

JUSTIFICATION

- 5.29 Under the General Permitted Development Order (GPDO) a wide range of minor development can be carried out without the need for planning permission. Where necessary, the Council can request the Secretary of State for additional powers under Article 4(1) of the GPDO to control these 'permitted development' rights by requiring planning permission to be obtained for specified classes of development. Examples include the replacement of traditional doors and windows with modern joinery or materials and the replacement of roof materials.

- 5.30 Article 4(2) of the GPDO gives the Council the power to restrict specific 'permitted development' affecting dwellinghouses in conservation areas where this would front a highway, waterway or open space. Development relating to an individual type of feature which is important to the character or appearance of the conservation area may be specified, such as windows, doors, quoins, fanlights, architraves, parapets, cornices, stonework.
- 5.31 The Council must notify residents and take account of local views before deciding to confirm an Article 4(2) Direction. The conservation area assessments will help to define characteristic features as a basis for the defining of Article 4(2) areas.
- 5.32 'Permitted development' can lead to the erosion of the character of conservation areas where original building features are replaced by inappropriate fittings. This can be of critical importance in areas of unified townscape character, such as South Parade, Northallerton and Town End, Sowerby with their Victorian terraced and villa houses.
- 5.33 Only in exceptional circumstances will 'permitted development' rights be withdrawn. The need for a Direction will be judged on the degree of threat to the character of the area and the extent to which minor changes undermine the character of areas where publicly funded schemes of enhancement have been undertaken or are proposed.
- 5.34 An Article 4 Direction is currently operating at Stokesley.

ENHANCEMENT IN CONSERVATION AREAS

POLICY HH9

RETENTION OF DISTINCTIVE LOCAL FEATURES IN CONSERVATION AREAS

Development in conservation areas should retain and where appropriate, reinstate distinctive local features which contribute towards that special character or appearance which it is desirable to preserve or enhance.

JUSTIFICATION

- 5.35 A wide variety of distinctive local features contribute towards the special character or appearance of conservation areas, including brick and stone walls, iron railings, gates and gateposts, hedges, troughs, pumps, wellheads, mileposts and bollards. Locally made items of cast iron street furniture, where they survive, can be especially valuable features.
- 5.36 Walls, railings and hedges are vulnerable to removal to make way for car parking and access. Their removal could erode the character of conservation areas and will be resisted.
- 5.37 Distinctive features which add to the character or appearance of conservation areas will be identified in the conservation area assessments.

POLICY HH10

FLOORSCAPE IN CONSERVATION AREAS

Within conservation areas traditional floor materials will be retained where they are found and, where possible, including in new developments, their use will be extended to replace inappropriate modern surfaces. Developers or statutory undertakers when carrying out street works will be required to reinstate the same materials as previously existed, or use the closest possible match if existing materials cannot be reused.

Where the use of modern materials is unavoidable, the size, texture and colour should be compatible with traditional floor materials of the area.

JUSTIFICATION

- 5.38 Cobbles, scoria blocks, York Stone flags, and Whin Sill basalt setts are all found to varying degrees as paving materials in the conservation areas, especially in the market towns. These materials contribute to the character and appearance of the conservation areas and are a traditional feature adding visual interest to the local scene. Any local variation in the use of material needs to be maintained as an essential feature of local environmental character.
- 5.39 Surface finishes need special consideration in conservation areas and the exclusive use of tarmac and precast concrete kerbs is not appropriate. Materials and details which are traditional to the area should usually form the basis of design for new development.
- 5.40 Within village conservation areas, a characteristic feature is the informal appearance of highway edges. Precast concrete kerbs may not be appropriate and new roads should be edged with informal stone kerbs where a check to vehicles is necessary.
- 5.41 The New Roads and Streetworks Act 1991 requires statutory undertakers to be responsible for carrying out permanent reinstatement of the highway. Reinstatement should be of the same material as previously used.
- 5.42 The conservation area assessments will identify areas of traditional paving which are of importance, and which should be retained.

POLICY HH11

TREES IN CONSERVATION AREAS

New development which would result in the loss of trees or hedgerows of high visual, historic or amenity value in conservation areas will not be permitted. The removal of such features will only be permitted in exceptional circumstances and where possible, replacement trees and hedges should be planted.

Tree Preservation Orders will be made to protect trees of high amenity value in conservation areas in accord with Policy L13.

JUSTIFICATION

- 5.43 Trees and hedges are an especially important feature of most conservation areas, providing an attractive setting for buildings. The loss of trees and hedges in the countryside makes those in villages and towns particularly valuable.

Advice on trees is provided in a Supplementary Planning Guidance Note entitled 'Trees' produced by the Council.

POLICY HH12

HIGHWAYS AND FOOTPATHS IN CONSERVATION AREAS

New development which would result in the loss of the historic pattern of streets, lanes, footpaths and the removal or disruption of traditional building lines in conservation areas, will not be permitted.

Where necessary, in accord with Policies T6 and T14, the relaxation of normal highway standards will be encouraged to enable the retention of the special character or appearance of conservation areas, where compatible with road safety and the access needs of those with mobility difficulties.

JUSTIFICATION

- 5.44 The historic pattern of footpaths, streets and lanes, the small distance between buildings which creates a sense of enclosure and the absence of large gaps in street frontages can provide an essential contribution to the character of conservation areas.
- 5.45 New development should repeat these features with the layout and highway being carefully designed to avoid large open spaces between buildings, and ensuring that areas on public view are not dominated by parked vehicles.
- 5.46 Improvement lines, visibility splays and the imposition of set backs away from the established building line lead to the progressive erosion of the historic street pattern, and to the loss of character of conservation areas.
- 5.47 North Yorkshire County Council is supportive of this Policy, and its Residential Highways Design Guide provides scope for the relaxation of standards in conservation areas.

POLICY HH13

ENHANCEMENT SCHEMES FOR CONSERVATION AREAS

In conjunction with other bodies and local residents, schemes of enhancement will be prepared for conservation areas.

An enhancement scheme will be prepared for Long Street, Easingwold.

JUSTIFICATION

- 5.48 The Council has a duty (Planning (Listed Buildings and Conservation Areas) Act 1990) to prepare and publish proposals for the preservation and enhancement of its conservation areas and to submit them for public consultation. The conservation area assessments will identify those areas where enhancement is required.
- 5.49 An enhancement scheme will be prepared for Long Street, Easingwold. Construction of the A19(T) bypass has relieved Long Street of through traffic and created an opportunity for an enhancement scheme, to possibly include car parking, widened footpaths, additional tree planting and appropriate street furniture.

POLICY HH14

TOWNSCAPE IMPROVEMENT AREAS

Within those parts of the market town conservation areas, as shown on the Inset Maps as Townscape Improvement Areas and listed below, enhancement will be encouraged and new development will be required to improve their character or appearance.

SITE	SETTLEMENT	INSET MAP
1. Rear of Bedale Hall	Bedale	1
2. South of Emgate	Bedale	1
3. Albert Row and Quality Fare	Bedale	1
4. Former gasworks and Claphams	Bedale	1
5. Park Square and Park Rise	Great Ayton	79
6. West side of High Street	Northallerton	70
7. East side of High Street (south end)	Northallerton	70
8. East side of High Street (north end)	Northallerton	70
9. South side of High Street to Levenside	Stokesley	91
10. North Road to High Street	Stokesley	91
11. Church House, College Square	Stokesley	91
12. Rear 45 - 71 Market Place	Thirsk	124
13. North side of Masonic Lane	Thirsk	124
14. Rear 30 - 54 Market Place	Thirsk	124
15. Nursery Site, Market Place	Thirsk	124

JUSTIFICATION

5.50 The areas identified in the Policy are the most rundown and neglected parts of the market town conservation areas and have been specifically identified as areas where enhancement should be concentrated. Enhancement measures might include:

- Extending the use of traditional paving materials, lighting and street furniture;
- Creating further areas of soft and hard landscaping;
- The repair, improvement and reuse of buildings;
- The removal of overhead wires and poles, unsightly signs, inappropriate street furniture and other eyesores.

5.51 Treatment of the areas specified in Policy HH14 could be as follows:

1. Rear of Bedale Hall, Bedale

A small number of buildings, boundary walls and yards remain in need of repair and enhancement in this area.

2. South of Emgate, Bedale

This area is adjacent to Fleece Cottages and could be tidied up and used as individual garden plots to these properties. The footpath to the Market Place needs paving in an appropriate material.

3. Albert Row and Quality Fare, Bedale

The footpath to the Market Place needs paving in an appropriate material.

4. Former gasworks and Claphams, Bedale

There is a need to protect or re-establish the historic plot pattern of the area, and to repair the three groups of stone cottages which remain. Some additional residential or office development may be appropriate.

5. Park Square and Park Rise, Great Ayton

The area lies behind the north side of High Green. The buildings on the south side of Park Square comprise cut down and altered stone buildings which occupy an important position in the Square. These buildings present a challenge, but they warrant repair and rebuilding for retail or residential use.

To the west lies a modern parade of shops, unattractive flat roofed structures which sit awkwardly in the townscape, with nearby wooden sheds and unused outbuildings. The whole area merits redevelopment in a more coherent and attractive manner in order to integrate new buildings with the High Green frontage, and to maintain and enhance the character and quality of the conservation area.

6. West side of High Street, Northallerton

This is one of the few areas in the town centre where the historic pattern of long garths is still visible. It contains some gabled rear buildings

and long stretches of boundary wall in need of repair. There may be scope for arcade type retail development in this area, but the emphasis should be on the repair and reuse of existing buildings.

7. East side of High Street (south end), Northallerton

This is an area of mixed residential and retail use, with scope for the enhancement of buildings and footpaths.

8. East side of High Street (north end), Northallerton

Over two thirds of this High Street frontage consists of listed buildings, with further listed buildings to the rear. The backland areas off Elder Road are vulnerable with pressure for car parking and servicing leading to the loss of walls and cobbled areas. The yard to the rear of 101-102 is important as it retains (in part) its cobbled surface and is one of the last to do so. There is scope for the enhancement of yards and parking areas, repair of buildings and reinstatement of boundary walls. The Central Arcade could be further enhanced.

9. South side of High Street to Levenside, Stokesley

This is an important area in townscape terms, being clearly visible from Levenside. Many of the buildings are listed and may offer scope for conversion or reuse. Grant could be targeted on this area, which because of restricted access offers little scope for redevelopment. The visual quality of the area would be improved if the various flat roofed extensions were rebuilt with pitched tiled roofs.

10. North Road to High Street, Stokesley.

Encroachment by recent buildings onto the plots to the rear of the High Street has resulted in a fragmented plot pattern, disrupted by unpaved accesses and parking areas. Enhancement work needs to be focused on these backlands to reinstate boundary walls and to seek the repair and reuse of run down or unused buildings.

11. Church House, College Square, Stokesley

A vacant three storey building and yard in a prominent part of the conservation area is in need of reuse and repair.

12. Rear 45 - 71 Market Place, Thirsk

This area contains a mixture of flat roofed extensions to shops, small unkempt yards used for car parking and derelict outbuildings which offer scope for conversion to new retail or other uses.

Several public footpaths cross the area, linking Gillings Court with the Market Place.

Redevelopment of the area behind 69-71 Market Place could be linked to the enhancement of the cobbled area off Millgate, with a unified floorscape treatment.

13. North side of Masonic Lane, Thirsk

This area has a mixture of substantial brick barns and other buildings, with some very rundown decaying property. Some of the buildings,

notably the ranges of barns built gable end on to the road are of great townscape importance and add to the character of the area. The conversion of existing buildings to residential or other appropriate uses with perhaps some redevelopment would be acceptable for this area.

14. Rear of 30 - 54 Market Place, Thirsk

This area of backland contains a mixture of flat roofed shop extensions and traditional buildings, some of which offer scope for reuse. There are a number of yards and footpaths linking the Market Place with Chapel Street which require enhancement using traditional paving materials.

15. Nursery Site, Market Place, Thirsk.

This area comprises the former nurseries, an area of glasshouses within an old walled garden, together with the site of the Salem Chapel, adjacent to the Cod Beck. It is an important riverside site, but contains few buildings suitable for conversion or reuse. A mixture of town centre and residential uses would be appropriate, but access to the area is restricted.

LISTED BUILDINGS

POLICY HH15

DEMOLITION OF LISTED BUILDINGS

Special regard will be paid to the desirability of preserving listed buildings, their settings and any features of special architectural or historic interest which they possess. The demolition of listed buildings will be strongly resisted.

JUSTIFICATION

- 5.52 Listed buildings are a finite historic resource and the presumption, therefore, must always be in favour of their preservation.
- 5.53 The total demolition of a listed building is always an exceptional circumstance. The Secretary of State has shown that he is not prepared to grant consent for the total or substantial demolition of a listed building unless every possible effort has been made to continue the present use or find a suitable alternative use. This is reflected in PPG15.
- 5.54 Proposals for the demolition of listed buildings will not be allowed unless the applicant can show that the viability of alternative uses for the building has been fully explored (including unrestricted freehold sale to another user), or that substantial planning benefits for the community would decisively outweigh the loss resulting from demolition.
- 5.55 The following matters will be considered when applications for the demolition of listed buildings are made:
- The condition of the building, the cost of repairing and maintaining it in relation to its importance and the value derived from its continued use;
 - The adequacy of efforts made to retain the building in use. Listed building consent for demolition will not be granted unless the Council is satisfied that real effort has been made to continue the present use or to find compatible alternative uses for the building;
 - The merits of alternative proposals for the site.

POLICY HH16

THE RECORDING OF LISTED BUILDINGS PRIOR TO DEMOLITION

Where, exceptionally, permission is given for the total or partial demolition of a listed building, it may be required, by agreement or as a planning condition, that:

1. The appearance, plan and detailed features of the building and site are properly recorded and investigated by suitably qualified persons; and
2. Where possible certain features or materials of the building are either salvaged and stored or reused in the redevelopment of the site.

JUSTIFICATION

5.56 Because of their historic and architectural interest, it is essential that listed buildings threatened with demolition are adequately recorded. The Royal Commission on the Historical Monuments of England

(RCHME) has a statutory duty to record threatened buildings and will be consulted where the total or substantial demolition of a listed building is proposed.

POLICY HH17

ALTERATIONS TO LISTED BUILDINGS

Proposals to alter, extend, or change the use of a listed building will be permitted only if all of the following criteria can be met:

1. They maintain the character of the original building and preserve its architectural and historic features both internal and external;
2. They are appropriate in design, scale, materials and colour to the rest of the building and its setting;
3. They will improve the condition of the building and ensure its continued use;
4. They result in the minimum loss of the historic fabric of the building.

Consent will be refused where the use of non traditional materials, products or methods would unacceptably alter the character of a listed building. Where alterations are permitted a planning condition may require access for recording purposes.

Applications to change the use of a listed building should be accompanied by full details of any alteration to the building so that the effect on its character can be assessed.

JUSTIFICATION

- 5.57 There is always a presumption favouring the preservation of a listed building and its historic fabric. The character or historic importance of a listed building can be damaged by unsympathetic alterations, even minor ones. Repair work should retain as much of the historic fabric of the building as possible, in particular such details as windows, doors and chimney stacks. A detailed and accurate survey which clearly shows the proposed changes will be required with any application for listed building consent. Proposals to extend a listed building should be sympathetic in scale, proportion and materials to the existing building and should not detract from the character or setting of the building.
- The building’s setting and its contribution to the local scene;
 - The extent to which the proposed work would bring substantial benefits to the community, in particular by contributing to the economic regeneration of the area or the enhancement of its environment.
- 5.58 The following will be taken into account in considering all listed building consent applications for alterations:
- The importance of the building, as indicated by its grading;
 - The particular physical features of the building which justify its inclusion in the list;
- 5.59 During the course of alterations, hitherto unknown features such as blocked doorways or hidden timber structures may be revealed. In such cases, opportunity for the recording of details should be given to such bodies as the Royal Commission on the Historical Monuments of England.
- 5.60 To ensure a consistent approach and to ensure the preservation of listed buildings, it is important that where applications for planning and listed building consent are required they are submitted and dealt with together.

POLICY HH18

THE SETTING OF LISTED BUILDINGS

Development which would detract from the setting of a listed building will not be permitted. A high standard of design for any new development within the setting of a listed building will be required with regard to siting, scale, design, materials and detailing.

JUSTIFICATION

- 5.61 The Planning (Listed Buildings and Conservation Areas) Act 1990 requires local planning authorities to have special regard to the desirability of preserving the setting of listed buildings. PPG15 notes that the setting of a building of special architectural or historic interest is often an essential feature of its character, especially if the garden or grounds are laid out as an integral part of the design and layout. Policy L8 protects parks and gardens, many of which form the setting of listed buildings.

5.62 The setting of a building may be limited to its immediate surroundings, but often may include land some distance from it. Where a listed building forms an important visual element in a street, any development in the street could be regarded as being

within the setting of the building. A proposed high or bulky building might affect the setting of a listed building some distance away, or alter views of an historic skyline.

ARCHAEOLOGY AND SCHEDULED MONUMENTS

POLICY HH19

SCHEDULED MONUMENTS AND OTHER SITES OF NATIONAL, REGIONAL AND COUNTY IMPORTANCE

Where nationally important archaeological remains, whether scheduled or not, and their settings are affected by proposed development there will be a presumption in favour of their physical preservation. Special regard will be paid to the preservation of other archaeological sites of regional, County or local importance and development will not be permitted which would adversely affect them.

JUSTIFICATION

- 5.63 PPG16 states that ‘the desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications, whether that monument is scheduled or unscheduled’.
- 5.64 Not all nationally important monuments are scheduled; the schedule is continually being expanded to include newly discovered or reassessed sites. Thus the absence of an archaeological site from the schedule need not necessarily indicate that the site is not of national importance and worthy of preservation.
- 5.65 Scheduled monuments rank in importance with Grade I or II* listed buildings. Once scheduled, the consent of the Secretary of State is required before any works are carried out which would affect the monuments. The need for scheduled monument consent does not remove the need for planning consent where development is proposed. Even if scheduled monument consent is forthcoming, for instance where the monument is already badly damaged, the development proposal may be unacceptable on planning grounds.
- 5.66 Within the District, the Sites and Monuments Record (SMR) maintained by North Yorkshire County Council has details of known archaeological sites. Development proposals are notified to the County Archaeologist who assesses whether the proposal will affect any site of importance.

POLICY HH20

ARCHAEOLOGY AND DEVELOPMENT

Development which affects a site where there is evidence that important archaeological remains may exist may be permitted subject to:

1. A requirement that any archaeological remains are preserved in-situ by the careful design, layout and siting of the new development; or
2. Where in-situ preservation is not justified, provision for recording and/or excavation, by a competent archaeological organisation prior to and during development, with publication of the results.

JUSTIFICATION

- 5.67 PPG16 emphasises the importance of archaeology and urges that archaeological remains are not needlessly destroyed. Wherever possible, developments should be located or designed to avoid archaeological remains to ensure that these remain preserved in-situ.
- 5.68 Where the Council decides that in-situ preservation is not justified, it will require the developer to make appropriate and satisfactory provision for the excavation and recording of the remains, before granting planning permission.
- 5.69 A project brief will be prepared by the Council to guide the developer and his archaeological consultants in planning the necessary archaeological works. A detailed scheme of works or specification for investigation and recording, prepared by archaeological consultants should be submitted to the Council for approval.

POLICY HH21

ARCHAEOLOGICAL INFORMATION

Where research indicates that archaeological remains may exist on a site where development is proposed, the developer will be requested to undertake an archaeological field evaluation to establish the significance of any archaeological remains prior to the determination of any planning application.

JUSTIFICATION

- 5.70 The Sites and Monuments Record (SMR) is incomplete with about two thirds of the County still to be covered. As the SMR is not a definitive record, developers need to be aware that sites of archaeological interest in the form of crop or soil marks or earthworks can occur almost anywhere. It is, therefore, incumbent on developers to provide an evaluation where the presence of archaeological remains is suspected. A typical evaluation might comprise the following three elements:
- A desk top study to assess the potential of the site as recorded in documents;
 - Field evaluation to include remote sensing, field survey, field walking and trial excavation; and
 - Report of findings.
- 5.71 An evaluation would help define the extent and character of the remains and could assist in identifying options for minimising or avoiding damage to the site.

POLICY HH22

HISTORIC BATTLEFIELDS

Development affecting registered Historic Battlefield sites as shown on the Proposals Map will only be permitted where the proposal:

1. Does not adversely affect the historic, archaeological and landscape interest of the site; and
2. Does not prejudice any potential for interpretation of the site.

JUSTIFICATION

5.72 The following sites are included on a national list of 43 sites, and thus they are of acknowledged importance:

Northallerton

Myton-on-Swale

The effect of any development on sites included on the Register will form a material consideration to be taken into

account in determining planning applications.

5.73 There may be scope for the interpretation of these sites for the benefit of visitors and residents. The scope for on site interpretation will need to be carefully considered, as will the opportunities for enhanced public access to these sites.