



Historic England

HARM TO SIGNIFICANCE

Simon Hickman
Principal Inspector of Historic Buildings and Areas



Historic England Designation Criteria

The statutory criteria for listing buildings are:

- Special architectural interest
- Special historic interest

Principles of selection for listing buildings (DCMS, March 2010)

Scheduled Monuments are designated under the Ancient Monuments and Archaeological Areas Act 1979. Monuments are designated for the following criteria:

- Merit; Origin; Documentary Interest; Group Value; Survival/Condition; Significance; Vulnerability; Diversity; Potential

What these criteria are really looking at however is the **significance** of the building or monument.

SIGNIFICANCE



Significance in Planning Policy

- Applicant should ‘**describe the significance** of the heritage assets affected’, in detail proportionate to the assets’ importance
- Local planning authorities should identify and **assess the particular significance** of any heritage asset that may be affected by a proposal taking account of the available evidence and any necessary expertise.

(NPPF 189 / 190)



Historic England

Conservation Principles

1. The historic environment is a shared resource
2. Everyone should be able to participate in sustaining the historic environment
3. Understanding the significance of places is vital
4. Significant places should be managed to sustain their values
5. Decisions about change must be reasonable, transparent & consistent
6. Documenting and learning from decisions is essential





Historic England

We use the Heritage Values to help us
define the significance of a heritage
asset

Evidential **Historical**
Communal **Aesthetic**



Historic England

Evidential value



Excavations at Whitehorse Hill, Dartmoor



Historic England

Historic

value

Can be Illustrative

Telling stories about places and using the places themselves to illustrate the story



Gwennap Pit

Associative

or



John Lennon's childhood home,
Liverpool



Historic England

Aesthetic value

It can be the result of deliberate design or as a result of fortuitous development over time

The Banqueting House,
Whitehall - **Designed**





Historic England

Aesthetic value

Stourhead- **Designed**





Historic England

Aesthetic value

Iron Bridge, Exeter – Fortuitous?





Historic England

An emotional response?

Plymouth Civic





Historic England

Communal value

Places which hold collective memory –
Commemorative
or
Symbolic



Southbank Skatepark, London



Historic England

SIGNIFICANCE





Historic England





The heritage values

Evidential Value	Historic Value	Communa l Value	Aesthetic Value
<i>The research value of a place</i>	<i>Telling the stories about places</i>	<i>The meanings attached to places by people</i>	<i>The reaction inspired by the appearance</i>
	Associative historic value	Commemorative communal value	Deliberate aesthetic value
	Illustrative historic value	Symbolic communal value	Fortuitous aesthetic value
		Social communal value	
		Spiritual communal value	

Exeter St Davids

High?

Communal value

- Exeter as a city
- Part of new community?
- Potential for enhancement

Symbolic

- Still in use for original purpose
- Penguin books founded here!
- Good and bad memories – County/Troops to War?

Social

Strong?

Aesthetic value

Deliberate

- Good
- Group value with other buildings
- Neoclassical
- Art Deco
- Locally distinctive?
- Architectural contrast between old and new(er?)

Conservation Area?

Architecture contrast with other buildings

Fortuitous

Evidential Value

- Hidden surviving original fabric
 - Atmospheric railway
 - Weakest value?

Associative

- History of rail travel – Broad Gauge etc
- Links with Brunel / GWR?
- Visits by dignatories – Giuseppe Garibaldi etc

Historic value

Illustrative

- Eroded by interventions?
- Represents the importance of Exeter for Rail travel – Corporate image of Great Western Railway

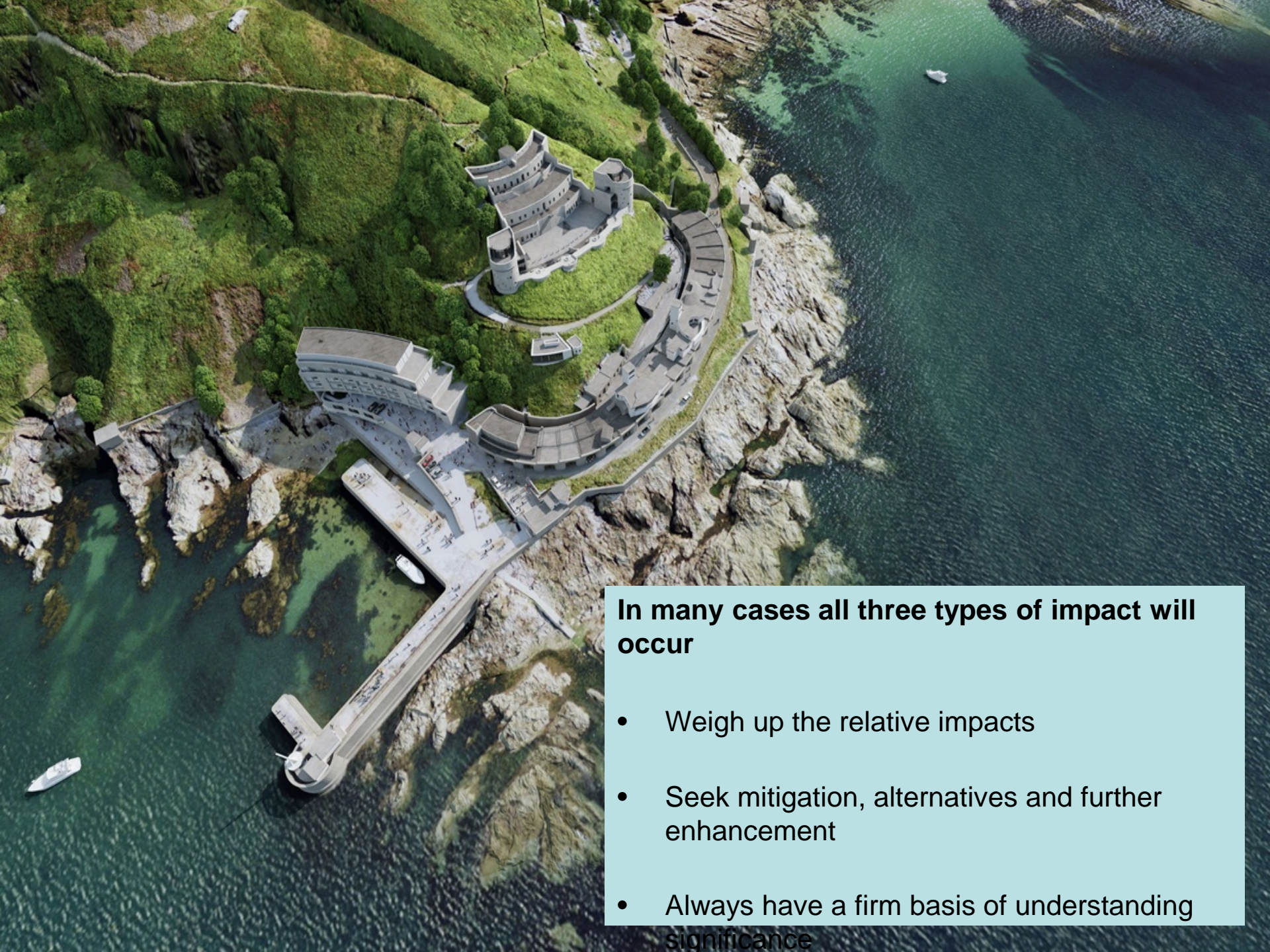


IMPACT on significance

There are three potential impacts a proposal could have on the significance of a heritage asset:

- Enhancement
- Preservation
- Harm

**NOT
JUST
HARM!**



In many cases all three types of impact will occur

- Weigh up the relative impacts
- Seek mitigation, alternatives and further enhancement
- Always have a firm basis of understanding significance



Legislation says that.....

Planning (Listed Building and Conservation Areas) Act 1990

Sections 16(2); 66(1)

‘**Special regard** should be paid to the desirability of preserving a listed building or its setting ‘

And

S.72 (1)

‘**Special attention** should be paid to preserving or enhancing the character or appearance of a conservation area.’



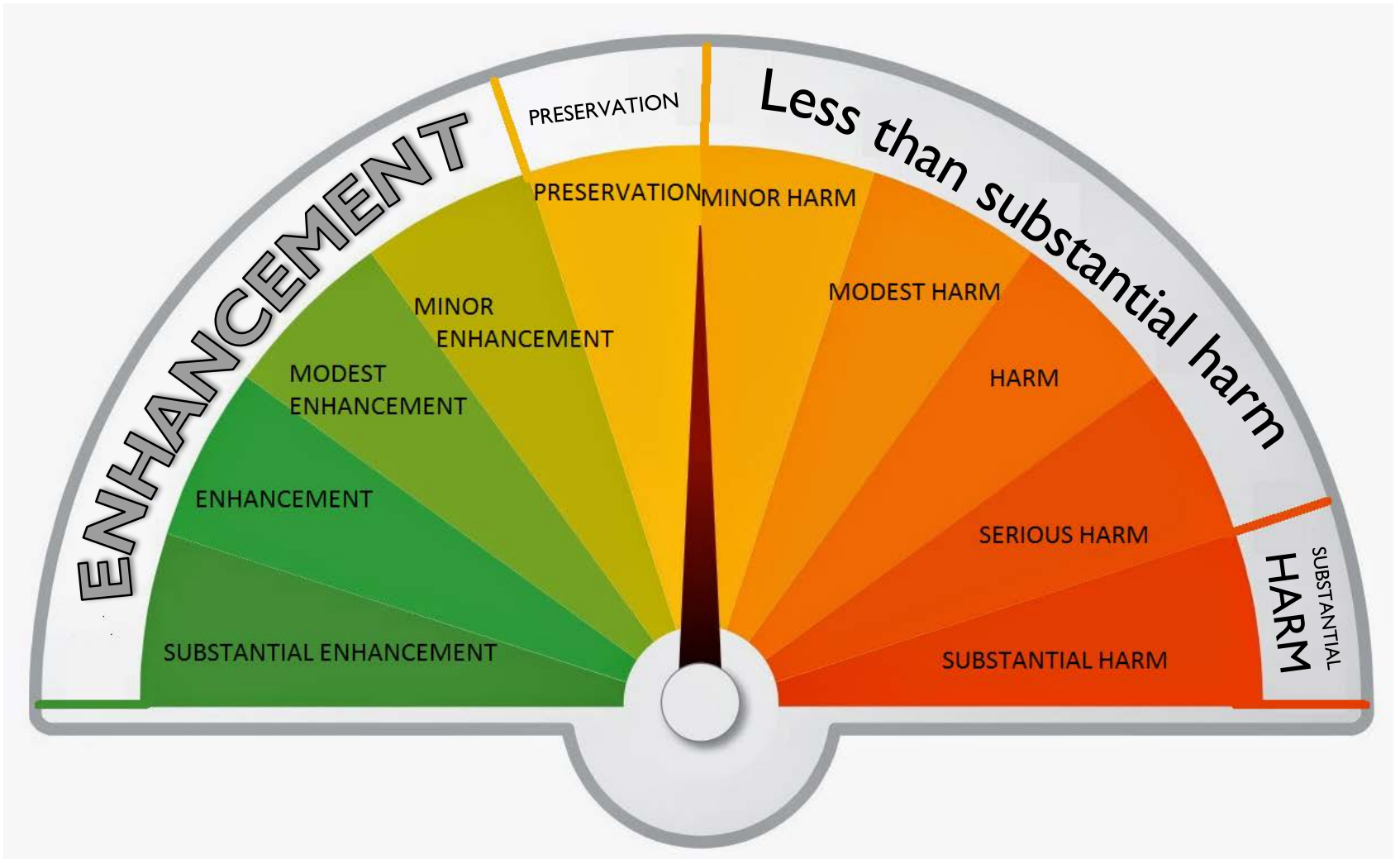
The NPPF says...

- Conserving heritage assets in a manner appropriate to their significance is a core planning principle. (Section 17)
- **Great weight** should be given to the conservation of designated heritage assets. The more important the asset the greater the weight should be.
- Significance can be harmed or lost through alteration or destruction of the asset or development in its setting. (S.132)
- As heritage assets are irreplaceable, **any harm or loss should require clear and convincing justification.**



Historic England

Harm? Substantial Harm?





Historic England

Harm? Substantial Harm?

Further explanation of substantial harm is contained within the Planning Practice Guide (paragraph 17)

*‘Whether a proposal causes substantial harm will be a judgment for the decision taker, having regard to the circumstances of the case and the policy in the National Planning Policy Framework. In general terms, substantial harm is a **high test**, so it may not arise in many cases’*

*‘...in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a **key element** of its special architectural or historic interest.’*



Historic England

Substantial Harm in extension

Extensio

n



Historic England

Substantial Harm in alteration



alteration or removal of features which are likely to constitute substantial harm



Historic England

Substantial Harm to setting



Hamlet Court





Queen's Rd

Esplanade



Hamlet Court

Trinity Church Ln

Royal Yacht Squadron

Holy Trinity Church

Queen's Rd

Rd

Baring Rd

Baring Rd

The Grove

Royal London Yacht Club

Castle Rd

Vantage Point apartments

Hamlet Court

Grantham Court



Proposed Development





- It is agreed by the parties that Hamlet Court is an undesignated heritage asset and it is in a prominent location within the Cowes Conservation Area.
- The scale and nature of the existing building embodies, and is a demonstration of, the rich history of an aristocratic legacy of sailing.



Why the Appeal was Dismissed

- The Inspector notes that “I accept that the building has serious issues of stability, but I do not have sufficient information before me to determine whether these issues are so significant that they outweigh the great harm to the non designated heritage asset which would result from demolition. Accordingly, it has not been demonstrated that demolition is the only possible scenario, and this lack of evidence does not outweigh the total loss of the building and its significance”
- Hamlet Court is of great significance to the CCA and **substantial harm** would arise from demolition.
- The Inspector considers that with intervention and maintenance it should have a future even if only in the medium term.



Historic England

Parish Church of St. Eval – Grade I Listed Building.





Historic England

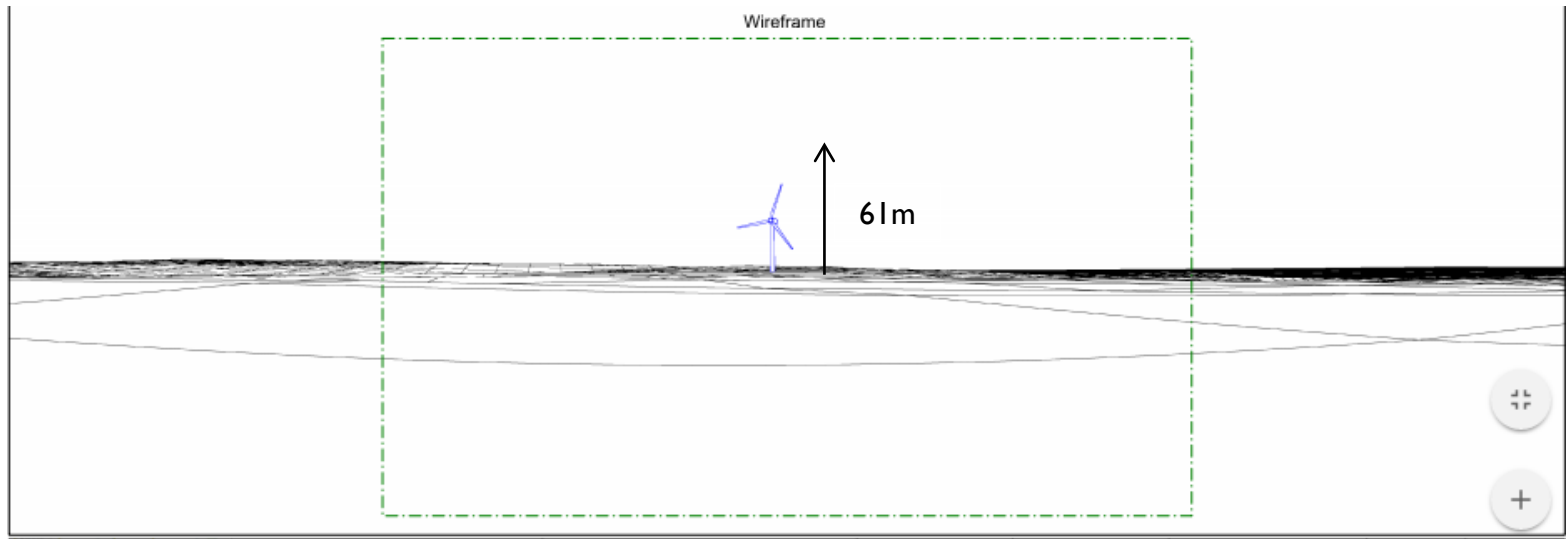
The Site





Historic England

Proposed Development







Historic England

Dog and Partridge – Grade II Listed Building





Historic England

The Surrounding Area





Historic England

The Proposal

- Limited physical alterations to the building, but for changes of use within various parts of the building.
- As a result of the proposal, the main historic building would become wholly residential and a private dwelling for the appellant.



Why the Appeal was Dismissed

- The central status of the public house in village life would be lost through the proposal.
- The change in use of the main ground floor of the building would cause **substantial harm** to the special historic interest of the listed building, through the loss of its historic function as a public house.
- The proposal would fail to preserve the special historic interest of the listed public house and would, consequently, to a small degree harm the character and appearance of the Forest of Bowland Area of Outstanding Natural Beauty.



Historic England

Harm / substantial harm?





(NPPF 195)

Total loss of a designated heritage asset or substantial harm to it can only be justified on the grounds that:

1. The substantial harm to or loss of significance is **necessary** in order to deliver substantial **public benefits** that **outweigh** the harm or loss;

or ...



Substantial harm

- a) The nature of the asset prevents all reasonable uses of the site; **and**
- b) No viable use of the asset itself can be found; **and**
- c) Grant-funding or charitable or public ownership is not possible; **and**
- d) The harm is outweighed by the benefits of bringing the site back into use.

(NPPF 195)



Historic England

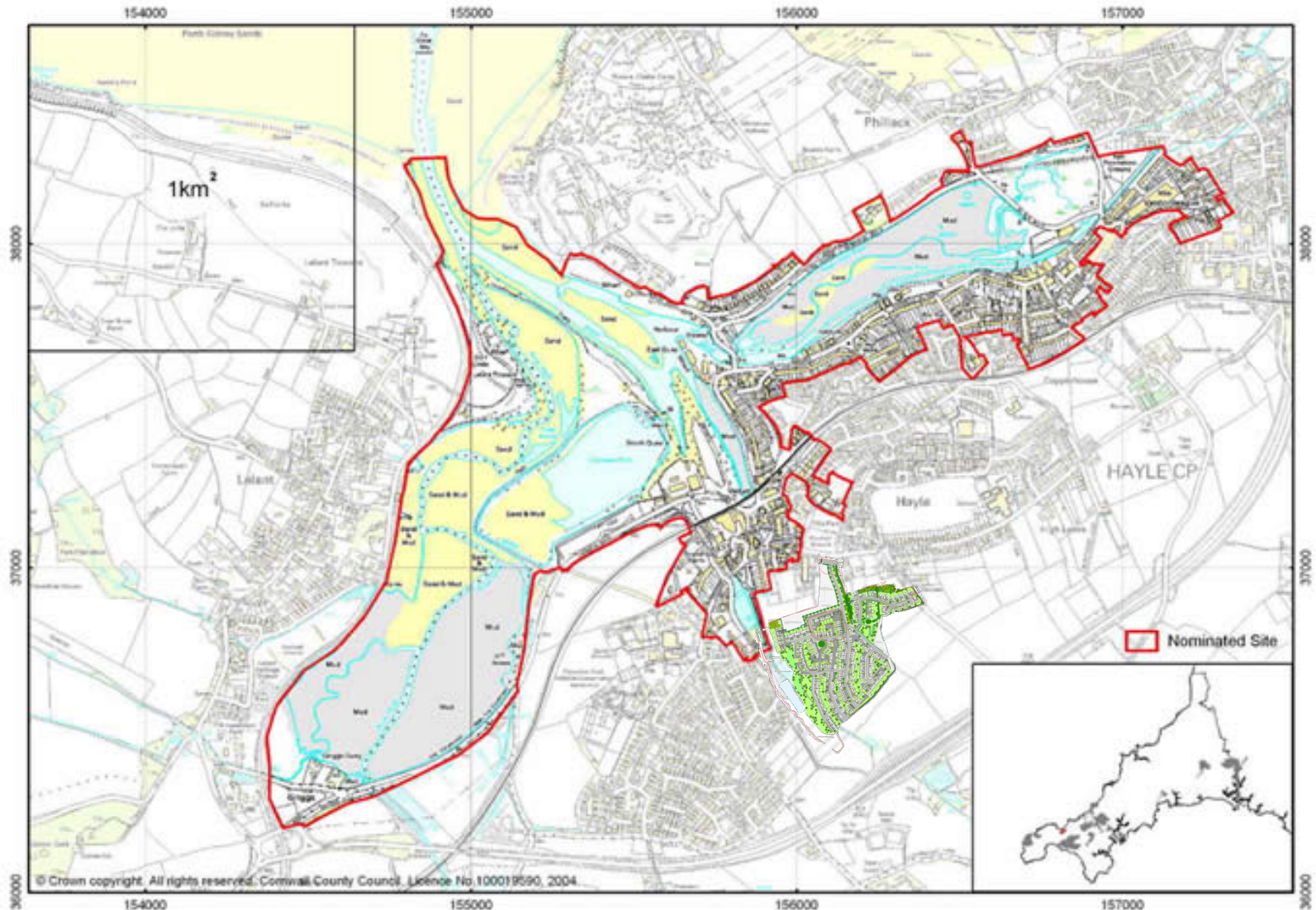
What level of harm?





Historic England

Appeal Ref: **APP/D0840/W/15/3006077** **Land South of St George's Road, Hayle**





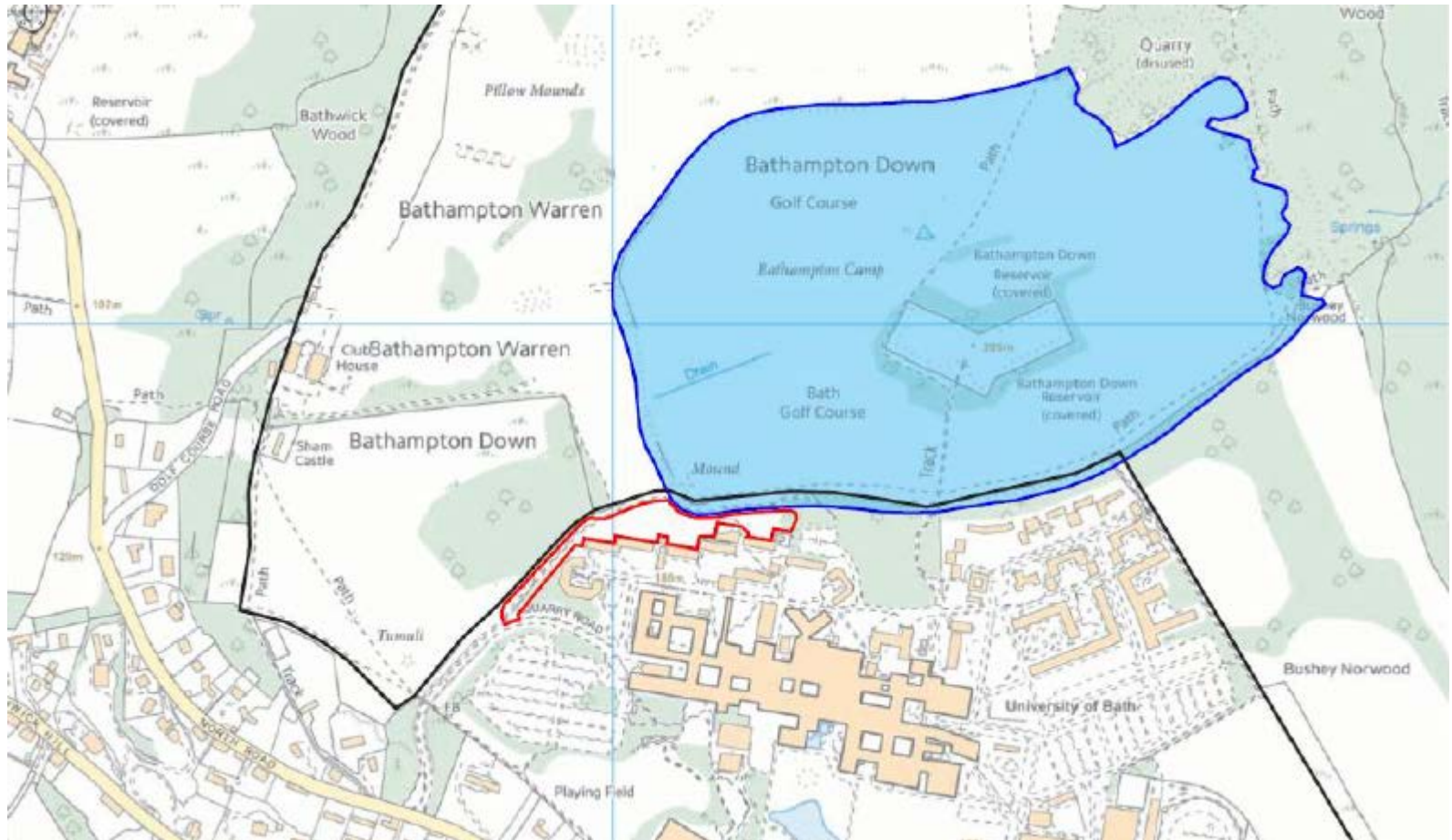
Historic England





Historic England

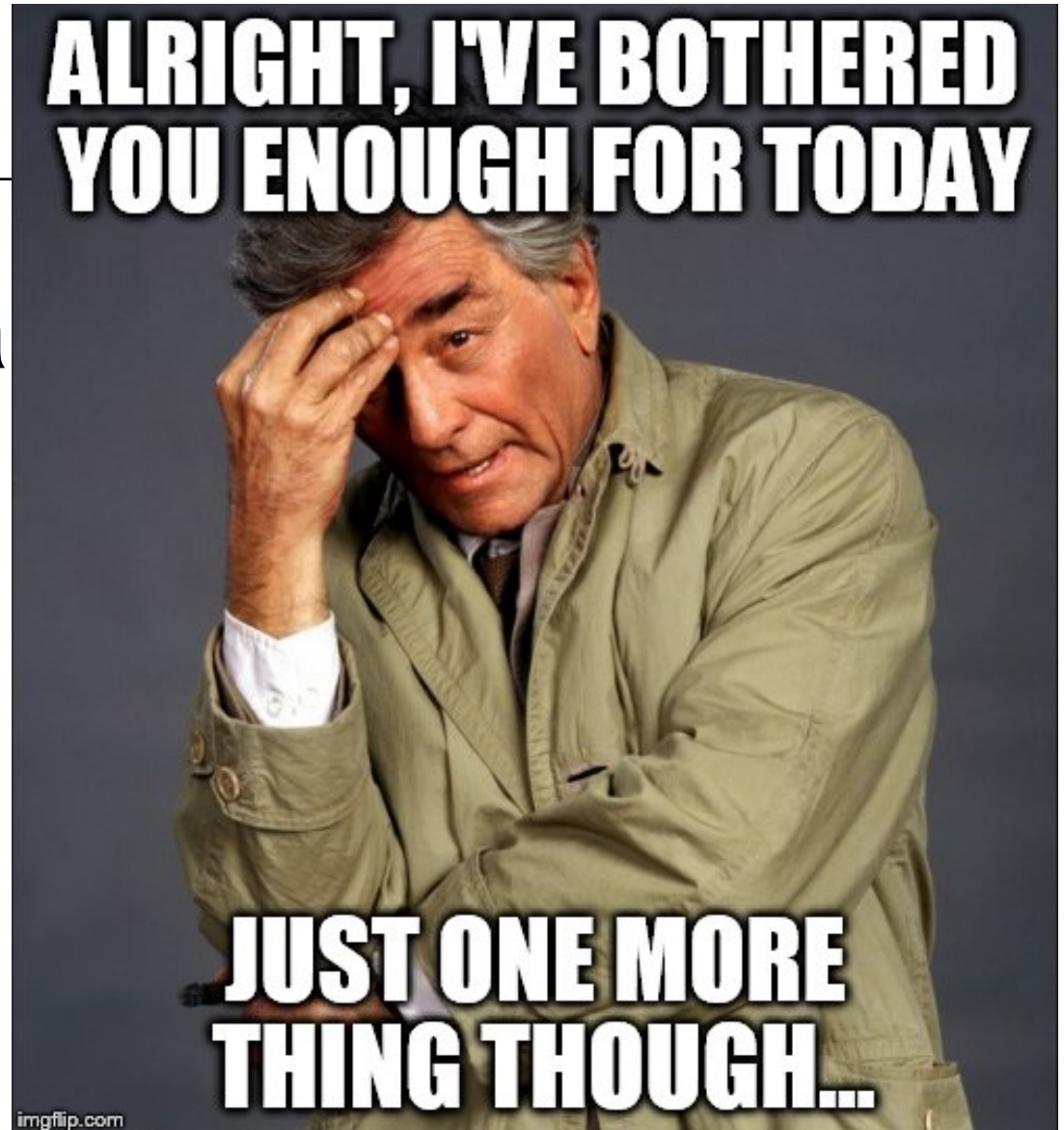
Appeal Ref: APP/F0114/W/15/3138529 University of Bath Campus, Claverton Down, Bath





Historic England

-
- Any harm is a failure
 - All levels of harm require justification





Historic England

Thanks!

email contact

Simon.hickman@historicengland.org.uk

Follow me on Twitter **[@heritagelocum](https://twitter.com/heritagelocum)**

Follow our SW office on Twitter **[@HE_Southwest](https://twitter.com/HE_Southwest)**