



1. Home (<https://www.gov.uk/>)

Guidance

Conserving and enhancing the historic environment

From: Department for Communities and Local Government
(<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>)

Part of: Planning practice guidance (<https://www.gov.uk/government/collections/planning-practice-guidance>)
and Planning system (<https://www.gov.uk/government/policies/planning-system>)

First published: 10 April 2014

Advises on enhancing and conserving the historic environment.

Contents

1. Overview: historic environment
2. Plan making: historic environment
3. Decision-taking: historic environment
4. Designated heritage assets
5. Non-designated heritage assets
6. Heritage consent processes
7. Consultation and notification requirements for heritage related applications
8. Further information on heritage and planning issues

Overview: historic environment

What is the policy for the historic environment?

Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development (as defined in paragraphs 6-10 (<https://www.gov.uk/guidance/national-planning-policy-framework/achieving-sustainable-development>)). The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' (paragraph 17 (<https://www.gov.uk/guidance/national-planning-policy-framework/achieving-sustainable-development#para017>)) bullet 10) that underpin the planning system. This is expanded upon principally in paragraphs 126-141 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment>) but policies giving effect to this objective appear elsewhere in the National Planning Policy Framework.

Paragraph: 001 Reference ID: 18a-001-20140306

Revision date: 06 03 2014

What is the main legislative framework for planning and the historic environment?

In addition to normal planning framework set out in the Town and Country Planning Act 1990:
(<http://www.legislation.gov.uk/ukpga/1990/8/contents>)

- the Planning (Listed Buildings and Conservation Areas) Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/9/contents>) provides specific protection for buildings and areas of special architectural or historic interest
- the Ancient Monuments and Archaeological Areas Act 1979 (<http://www.legislation.gov.uk/ukpga/1979/46/contents>) provides specific protection for scheduled monuments
- the Protection of Wrecks Act 1973 (<http://www.legislation.gov.uk/ukpga/1973/33/contents>) provides specific protection for protected wreck sites

Any decisions relating to listed buildings and their settings and conservation areas must address the statutory considerations of the Planning (Listed Buildings and Conservation Areas) Act 1990 (see in particular sections 16, 66 and 72) as well as satisfying the relevant policies within the National Planning Policy Framework and the Local Plan.

Paragraph: 002 Reference ID: 18a-002-20140306

Revision date: 06 03 2014

What is meant by the conservation and enhancement of the historic environment?

The conservation (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) of heritage assets (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) in a manner appropriate to their significance (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) is a core planning principle. Heritage assets are an irreplaceable resource and effective conservation delivers wider social, cultural, economic and environmental benefits.

Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in every day use to as yet undiscovered, undesignated buried remains of archaeological interest.

In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time. In the case of archaeological sites, many have no active use, and so for those kinds of sites, periodic changes may not be necessary.

Where changes are proposed, the National Planning Policy Framework sets out a clear framework for both plan-making and decision-taking to ensure that heritage assets are conserved, and where appropriate enhanced, in a manner that is consistent with their significance and thereby achieving sustainable development.

Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past. So where the complete or partial loss of a heritage asset is justified, the aim then is to capture and record the evidence of the asset's significance which is to be lost, interpret its contribution to the understanding of our past, and make that publicly available.

Paragraph: 003 Reference ID: 18a-003-20140306

Revision date: 06 03 2014

Plan making: historic environment

What is a positive strategy for conservation and enjoyment of the historic environment?

In line with the National Planning Policy Framework, local authorities should set out their Local Plan a positive strategy for the conservation and enjoyment of the historic environment. Such a strategy should recognise that conservation is not a passive exercise. In developing their strategy, local planning authorities should identify specific opportunities within their area for the conservation and enhancement of heritage assets. This could include, where appropriate, the delivery of development within their settings that will make a positive contribution to, or better reveal the significance of, the heritage asset.

The delivery of the strategy may require the development of specific policies, for example, in relation to use of buildings and design of new development and infrastructure. Local planning authorities should consider the relationship and impact of other policies on the delivery of the strategy for conservation.

Paragraph: 004 Reference ID: 18a-004-20140306

Revision date: 06 03 2014

What about the evidence base for Local Plan-making?

Policy on this is set out in paragraph 169 (<https://www.gov.uk/guidance/national-planning-policy-framework/plan-making/#para170>) of the National Planning Policy Framework.

Paragraph: 005 Reference ID: 18a-005-20140306

Revision date: 06 03 2014

Should non-designated heritage assets be identified in the Local Plan?

While there is no requirement to do so, local planning authorities are encouraged to consider making clear and up to date information on their identified non-designated heritage assets, both in terms of the criteria used to identify assets and information about the location of existing assets, accessible to the public.

In this context, the inclusion of information about non-designated assets in Local Plans can be helpful, as can the identification of areas of potential for the discovery of non-designated heritage assets with archaeological interest.

Further information on Local Plans (<https://www.gov.uk/guidance/local-plans-2>).

Paragraph: 006 Reference ID: 18a-006-20140306

Revision date: 06 03 2014

How should heritage issues be addressed in neighbourhood plans (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>)?

Where it is relevant, neighbourhood plans need to include enough information about local heritage to guide decisions and put broader strategic heritage policies from the Local Plan into action at a neighbourhood scale.

Where it is relevant, designated heritage assets (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) within the plan area should be clearly identified at the start of the plan-making process so they can be appropriately taken into account. In addition, and where relevant, neighbourhood plans need to include enough information about local non-designated heritage assets including sites of archaeological interest (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) to guide decisions.

The local planning authority heritage advisers should be able to advise on local heritage issues that should be considered when preparing a neighbourhood plan. The local Historic environment record (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) and any local list will be important sources of information on non-designated heritage assets.

Further information on:

- Neighbourhood planning generally can be found in the neighbourhood planning section (<https://www.gov.uk/guidance/neighbourhood-planning-2>)
- Heritage specific issues and neighbourhood planning is provided by Historic England (<https://www.historicengland.org.uk/advice/>).

Paragraph: 007 Reference ID: 18a-007-20140306

Revision date: 06 03 2014

Decision-taking: historic environment

What is “significance”?

“Significance (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>)” in terms of heritage policy is defined in the Glossary of the National Planning Policy Framework.

In legislation and designation criteria, the terms ‘special architectural or historic interest’ of a listed building and the ‘national importance’ of a scheduled monument are used to describe all or part of the identified heritage asset’s significance. Some of the more recent designation records are more helpful as they contain a fuller, although not exhaustive, explanation of the significance of the asset.

Further commentary on the significance of World Heritage Sites.

Paragraph: 008 Reference ID: 18a-008-20140306

Revision date: 06 03 2014

Why is ‘significance’ important in decision-taking?

Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals (see How to assess if there is substantial harm).

Paragraph: 009 Reference ID: 18a-009-20140306

Revision date: 06 03 2014

Where can local planning authorities get help to assess the significance of heritage assets?

In most cases the assessment of the significance of the heritage asset by the local planning authority is likely to need expert advice in addition to the information provided by the historic environment record, similar sources of information and inspection of the asset itself. Advice may be sought from appropriately qualified staff and experienced in-house experts or professional consultants, complemented as appropriate by consultation with National Amenity Societies and other statutory consultees.

Paragraph: 010 Reference ID: 18a-010-20140306

Revision date: 06 03 2014

What is a historic environment record?

Historic environment records (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) are publicly-accessible and dynamic sources of information about the local historic environment. They provide core information for plan-making and designation decisions (such as information about designated and non-designated heritage assets, and information that helps predict the likelihood of current unrecorded assets being discovered during development) and will also assist in informing planning decisions by providing appropriate information about the historic environment to communities, owners and developers as set out in the National Planning Policy Framework. Details of how to access historic environment records can be found on Historic England's website (<https://www.historicengland.org.uk/advice/>).

Paragraph: 011 Reference ID: 18a-011-20140306

Revision date: 06 03 2014

How do Design and Access Statement requirements relate to heritage assessments?

A Design and Access Statement (<https://www.gov.uk/guidance/making-an-application#design-access-statement>) is required to accompany certain applications for planning permission and applications for listed building consent.

Design and Access Statements provide a flexible framework for an applicant to explain and justify their proposal with reference to its context. In cases where both a Design and Access Statement and an assessment of the impact of a proposal on a heritage asset are required, applicants can avoid unnecessary duplication and demonstrate how the proposed design has responded to the historic environment through including the necessary heritage assessment as part of the Design and Access Statement.

Paragraph: 012 Reference ID: 18a-012-20140306

Revision date: 06 03 2014

What is the setting of a heritage asset and how should it be taken into account?

The "setting of a heritage asset (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>)" is defined in the Glossary of the National Planning Policy Framework.

A thorough assessment of the impact on setting needs to take into account, and be proportionate to, the significance of the heritage asset under consideration and the degree to which proposed changes enhance or detract from that significance and the ability to appreciate it.

Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.

The extent and importance of setting is often expressed by reference to visual considerations. Although views of or from an asset will play an important part, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.

The contribution that setting makes to the significance of the heritage asset does not depend on there being public rights or an ability to access or experience that setting. This will vary over time and according to circumstance.

When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability

now, or in the future, thereby threatening its ongoing conservation.

Further guidance on setting of heritage assets and wind turbine development

(<https://www.gov.uk/guidance/renewable-and-low-carbon-energy#heritage-be-taken-into-account>).

Paragraph: 013 Reference ID: 18a-013-20140306

Revision date: 06 03 2014

Should the deteriorated state of a heritage asset be taken into account in reaching a decision on an application?

Disrepair and damage and their impact on viability can be a material consideration in deciding an application. However, where there is evidence of deliberate damage to or neglect of a heritage asset in the hope of making consent or permission easier to gain the local planning authority should disregard the deteriorated state of the asset (National Planning Policy Framework paragraph 130 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para130>)). Local planning authorities may need to consider exercising their repair and compulsory purchase powers to remedy deliberate neglect or damage.

Paragraph: 014 Reference ID: 18a-014-20140306

Revision date: 06 03 2014

What is a viable use for a heritage asset and how is it taken into account in planning decisions?

The vast majority of heritage assets are in private hands. Thus, sustaining heritage assets in the long term often requires an incentive for their active conservation. Putting heritage assets to a viable use is likely to lead to the investment in their maintenance necessary for their long-term conservation.

By their nature, some heritage assets have limited or even no economic end use. A scheduled monument in a rural area may preclude any use of the land other than as a pasture, whereas a listed building may potentially have a variety of alternative uses such as residential, commercial and leisure.

In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.

It is important that any use is viable, not just for the owner, but also the future conservation of the asset. It is obviously desirable to avoid successive harmful changes carried out in the interests of repeated speculative and failed uses.

If there is only one viable use, that use is the optimum viable use. If there is a range of alternative viable uses, the optimum use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes.

The optimum viable use may not necessarily be the most profitable one. It might be the original use, but that may no longer be economically viable or even the most compatible with the long-term conservation of the asset. However, if from a conservation point of view there is no real difference between viable uses, then the choice of use is a decision for the owner.

Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused provided the harm is minimised. The policy in addressing substantial and less than substantial harm is set out in paragraphs 132 – 134 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para132>) of the National Planning Policy Framework.

Paragraph: 015 Reference ID: 18a-015-20140306

Revision date: 06 03 2014

What evidence is needed to demonstrate that there is no viable use?

Appropriate marketing is required to demonstrate the redundancy of a heritage asset in the circumstances set out in paragraph 133 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para133>), bullet 2 of the National Planning Policy Framework. The aim of such marketing is to reach all potential buyers who may be willing to find a use for the site that still provides for its conservation to some degree. If such a purchaser comes forward, there is no obligation to sell to them, but redundancy will not have been demonstrated.

Paragraph: 016 Reference ID: 18a-016-20140306

Revision date: 06 03 2014

How to assess if there is substantial harm?

What matters in assessing if a proposal causes substantial harm is the impact on the significance (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) of the heritage asset. As the National Planning Policy Framework makes clear, significance derives not only from a heritage asset's physical presence, but also from its setting.

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. For example, 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. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.

Policy on substantial harm to designated heritage assets is set out in paragraphs 132 and 133 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para132>) to the National Planning Policy Framework.

Paragraph: 017 Reference ID: 18a-017-20140306

Revision date: 06 03 2014

What about harm in relation to conservation areas?

An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building (paragraph 132 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para132>) of the National Planning Policy Framework). If the building is important or integral to the character or appearance of the conservation area then its demolition is more likely to amount to substantial harm to the conservation area, engaging the tests in paragraph 133 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para133>).

environment#para133) of the National Planning Policy Framework. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.

See guidance on how trees are protected in conservation areas (<https://www.gov.uk/guidance/tree-preservation-orders-and-trees-in-conservation-areas>).

Paragraph: 018 Reference ID: 18a-018-20140306

Revision date: 06 03 2014

How can proposals avoid or minimise harm to the significance of a heritage asset?

A clear understanding of the significance of a heritage asset and its setting is necessary to develop proposals which avoid or minimise harm. Early appraisals, a conservation plan or targeted specialist investigation can help to identify constraints and opportunities arising from the asset at an early stage. Such studies can reveal alternative development options, for example more sensitive designs or different orientations, that will deliver public benefits in a more sustainable and appropriate way.

Paragraph: 019 Reference ID: 18a-019-20140306

Revision date: 06 03 2014

What is meant by the term public benefits?

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 7 (<https://www.gov.uk/guidance/national-planning-policy-framework/achieving-sustainable-development>)). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.

Public benefits may include heritage benefits, such as:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long term conservation

Paragraph: 020 Reference ID: 18a-020-20140306

Revision date: 06 03 2014

Designated heritage assets

How do heritage assets become designated?

The Department for Culture, Media and Sport (DCMS) is responsible for the identification and designation of listed buildings, scheduled monuments and protected wreck sites.

Historic England identifies and designates registered parks, gardens and battlefields.

World Heritage Sites are inscribed by the United Nations Educational, Scientific and Cultural Organisation (UNESCO).

In most cases, conservation areas are designated by local planning authorities.

Historic England administers all the national designation regimes. Further information on selection criteria and processes can be found on Department for Culture, Media and Sport's website (<https://www.gov.uk/government/policies/conservation-of-historic-buildings-and-monuments>).

Paragraph: 021 Reference ID: 18a-021-20140306

Revision date: 06 03 2014

What is a listed building?

A listed building is a building which has been designated because of its special architectural or historic interest and (unless the list entry indicates otherwise) includes not only the building itself but also:

- any object or structure fixed to the building
- any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948

Paragraph: 022 Reference ID: 18a-022-20140306

Revision date: 06 03 2014

What is a conservation area?

A conservation area is an area which has been designated because of its special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

Paragraph: 023 Reference ID: 18a-023-20140306

Revision date: 06 03 2014

What do planning authorities need to consider before designating new conservation areas?

Local planning authorities need to ensure that the area has sufficient special architectural or historic interest to justify its designation as a conservation area.

Paragraph: 024 Reference ID: 18a-024-20140306

Revision date: 06 03 2014

Do local planning authorities need to review conservation areas?

Local planning authorities must review their conservation areas from time to time (section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/9/section/69>)).

A conservation area appraisal can be used to help local planning authorities develop a management plan and appropriate policies for the Local Plan. A good appraisal will consider what features make a positive or negative contribution to the significance of the conservation area, thereby identifying opportunities for beneficial change or the need for planning protection.

Paragraph: 025 Reference ID: 18a-025-20140306

Revision date: 06 03 2014

How are World Heritage Sites protected and managed in England?

England protects its World Heritage Sites and their settings, including any buffer zones or equivalent, through the statutory designation process and through the planning system.

The Outstanding Universal Value of a World Heritage Site, set out in a Statement of Outstanding Universal Value, indicates its importance as a heritage asset of the highest significance to be taken into account by:

- the relevant authorities in plan-making, determining planning and related consents (including listed building consent, development consent and Transport and Works Act Orders)
- and by the Secretary of State in determining such cases on appeal or following call in

Effective management of World Heritage Sites involves the identification and promotion of positive change that will conserve and enhance their Outstanding Universal Value, authenticity, integrity and with the modification or mitigation of changes which have a negative impact on those values.

Paragraph: 026 Reference ID: 18a-026-20140306

Revision date: 06 03 2014

How is the importance of World Heritage Sites reflected in the National Planning Policy Framework?

World Heritage Sites are defined as designated heritage assets (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>) in the National Planning Policy Framework. The National Planning Policy Framework sets out detailed policies for the conservation and enhancement of the historic environment, including World Heritage Sites, through both plan-making and decision-taking.

Further guidance on World Heritage Sites.

Paragraph: 027 Reference ID: 18a-027-20140306

Revision date: 06 03 2014

Further guidance on World Heritage Sites

Why are World Heritage Sites important?

The United Nations Educational, Scientific and Cultural Organisation (UNESCO) World Heritage Committee inscribes World Heritage Properties onto its World Heritage List for their Outstanding Universal Value – cultural and/or natural significance which is so exceptional as to transcend national boundaries and to be of common importance for present and future generations of all humanity. World Heritage Properties are referred to in the National Planning Policy Framework and in this guidance as ‘World Heritage Sites’ and are defined as designated heritage assets in the National Planning Policy Framework.

The government is a State Party to the 1972 Convention Concerning the Protection of the World Cultural and Natural Heritage (known as the World Heritage Convention) and it was ratified by the UK in 1984.

Paragraph: 028 Reference ID: 18a-028-20140306

Revision date: 06 03 2014

How is the importance of each Site recognised internationally?

A Statement of Outstanding Universal Value is agreed and adopted by the World Heritage Committee for each Site on inscription. The Statement sets out what the World Heritage Committee considers to be of Outstanding Universal Value about the Site in relation to the World Heritage Convention and includes statements of integrity and, in relation to cultural sites or the cultural aspects of ‘mixed’ Sites, authenticity, and the requirements for protection and management.

Statements of Outstanding Universal Value are key reference documents for the protection and management of each Site and can only be amended or altered by the World Heritage Committee.

Paragraph: 029 Reference ID: 18a-029-20140306

Revision date: 06 03 2014

How many World Heritage Sites are there and where are they?

There are currently 17 cultural World Heritage Sites wholly or partly in England and one natural World Heritage Site. Details of each can be found on the National Heritage List for England available on the Historic England website (<https://www.historicengland.org.uk/advice/>).

Paragraph: 030 Reference ID: 18a-030-20140306

Revision date: 06 03 2014

How does the terminology used by UNESCO relate to the policies of the National Planning Policy Framework?

The international policies concerning World Heritage Sites use different terminology to that in the National Planning Policy Framework. World Heritage Sites are inscribed for their 'Outstanding Universal Value' and each World Heritage Site has defined its 'attributes and components' the tangible remains, visual and cultural links that embody that value. The cultural heritage within the description of the Outstanding Universal Value will be part of the World Heritage Site's heritage significance and National Planning Policy Framework policies will apply to the Outstanding Universal Value as they do to any other heritage significance they hold. As the National Planning Policy Framework makes clear, the significance of the designated heritage asset derives not only from its physical presence, but also from its setting.

Paragraph: 031 Reference ID: 18a-031-20140306

Revision date: 06 03 2014

What principles should inform the development of a positive strategy for the conservation and enjoyment of World Heritage Sites?

In line with the National Planning Policy Framework, policy frameworks at all levels should conserve the Outstanding Universal Value, integrity and authenticity (where relevant for cultural or 'mixed' sites) of each World Heritage Site and its setting, including any buffer zone or equivalent. World Heritage Sites are designated heritage assets of the highest significance. Appropriate policies for the protection and sustainable use of World Heritage Sites, including enhancement where appropriate, should be included in relevant plans. These policies should take account of international and national requirements as well as specific local circumstances.

When developing Local Plan policies to protect and enhance World Heritage Sites and their Outstanding Universal Value, local planning authorities, should aim to satisfy the following principles:

- protecting the World Heritage Site and its setting, including any buffer zone, from inappropriate development
- striking a balance between the needs of conservation, biodiversity, access, the interests of the local community, the public benefits of a development and the sustainable economic use of the World Heritage Site in its setting, including any buffer zone
- protecting a World Heritage Site from the effect of changes which are relatively minor but which, on a cumulative basis, could have a significant effect
- enhancing the World Heritage Site and its setting where appropriate and possible through positive management

- protecting the World Heritage Site from climate change but ensuring that mitigation and adaptation is not at the expense of integrity or authenticity

Planning authorities need to take these principles and the resultant policies into account when making decisions.

Paragraph: 032 Reference ID: 2a-032-20140306

Revision date: 06 03 2014

How is the setting of a World Heritage Site protected?

The UNESCO Operational Guidelines seek protection of “the immediate setting” of each World Heritage Site, of “important views and other areas or attributes that are functionally important as a support to the Property” and suggest designation of a buffer zone wherever this may be necessary. A buffer zone is defined as an area surrounding the World Heritage Site which has complementary legal restrictions placed on its use and development to give an added layer of protection to the World Heritage Site. The buffer zone forms part of the setting of the World Heritage Site.

It may be appropriate to protect the setting of World Heritage Sites in other ways, for example by the protection of specific views and viewpoints. Other landscape designations may also prove effective in protecting the setting of a World Heritage Site. However it is intended to protect the setting, it will be essential to explain how this is to be done in the Local Plan.

Decisions on buffer zones are made on a case by case basis at the time of nomination and reviewed subsequently through the World Heritage Site Management Plan review process. Proposals to add or amend buffer zones following inscription are submitted by government for approval by the World Heritage Committee who will consider and adopt the proposals as appropriate.

Paragraph: 033 Reference ID: 2a-033-20140306

Revision date: 06 03 2014

What are World Heritage Site management plans?

Each World Heritage Site has a management plan which contains both long term and day to day actions to protect, conserve and present the Site. Steering Groups, made up of key representatives from a range of national and local bodies, are responsible for the formulation and implementation of the plan, and public consultation at key stages of its development. The relevant planning authority will often lead the Steering Group.

Management plans need to be developed in a participatory way, fully involving all interested parties and in particular those responsible for managing, owning or administering the Site. Each plan should be attuned to the particular characteristics and needs of the site and incorporate sustainable development principles. Each plan will:

- contain the location and Site boundary details
- specify how the Outstanding Universal Value, authenticity and integrity of each site is to be maintained
- identify attributes
- examine issues affecting its conservation and enjoyment

Management plans will usually cover topics such as its boundaries, development, tourism, interpretation, education and transport.

Given their importance in helping to sustain and enhance the significance of the World Heritage Site, relevant policies in management plans need to be taken into account by local planning authorities in developing their strategy for the historic or natural environment (as appropriate) and in determining relevant planning applications.

Paragraph: 034 Reference ID: 18a-034-20140306

Revision date: 06 03 2014

What approach should be taken to assessing the impact of development on World Heritage Sites?

Applicants proposing change that might affect the Outstanding Universal Value, integrity and, where applicable, authenticity of a World Heritage Site through development within the Site or affecting its setting or buffer zone (or equivalent) need to submit sufficient information with their applications to enable assessment of impact on Outstanding Universal Value. This may include visual impact assessments, archeological data or historical information. In many cases this will form part of an Environment Statement. Applicants may find it helpful to use the approach set out in the International Council on Monuments and Sites's Heritage Impact Assessment guidelines (http://www.icomos.org/world_heritage/HIA_20110201.pdf) and Historic England's guidance on setting and views (<https://www.historicengland.org.uk/>).

World Heritage Sites are 'sensitive areas' for the purposes of determining if an Environmental Impact Assessment (<https://www.gov.uk/guidance/environmental-impact-assessment>) is required for a particular development proposal. Lower development size thresholds apply to the requirement for Design and Access Statements (<https://www.gov.uk/guidance/making-an-application#design-access-statement>) within World Heritage Sites as compared with the norm.

Paragraph: 035 Reference ID: 18a-035-20140306

Revision date: 06 03 2014

What consultation is required in relation to proposals that affect a World Heritage Site?

The World Heritage Committee Operational Guidelines ask governments to inform it at an early stage of proposals that may affect the Outstanding Universal Value of the Site and "before making any decisions that would be difficult to reverse, so that the Committee may assist in seeking appropriate solutions to ensure that the Outstanding Universal Value is fully preserved". Therefore, it would be very helpful if planning authorities could consult Historic England (for cultural Sites) or Natural England (for natural Sites) and Department for Culture, Media and Sport (DCMS) at an early stage and preferably pre-application.

Planning authorities are required to consult the Secretary of State for Communities and Local Government before approving any planning application to which Historic England maintains an objection and which would have an adverse impact on the Outstanding Universal Value, integrity, authenticity and significance of a World Heritage Site or its setting, including any buffer zone or its equivalent. The Secretary of State then has the discretion as to whether to call-in the application for his/her own determination. Further information on the Secretary of State's involvement in deciding an application can be found in Determining a planning application (<https://www.gov.uk/guidance/determining-a-planning-application#consult-with-the-Secretary-of-State>) section of guidance.

Paragraph: 036 Reference ID: 18a-036-20140306

Revision date: 06 03 2014

Are permitted development rights restricted in World Heritage Sites?

World Heritage Sites are defined as article 2(3) land (<https://www.gov.uk/guidance/when-is-permission-required#article-2>) in the Town and Country Planning (General Permitted Development) Order 2015. This means that certain permitted development rights are restricted within the Site. Planning authorities can restrict further development by using article 4 (<https://www.gov.uk/guidance/when-is-permission-required#article-4-direction>) and article 5 (minerals operations) directions under the 2015 Order.

Paragraph: 037 Reference ID: 18a-037-20140306

Revision date: 06 03 2014

Where can I find further information about World Heritage Sites?

Further information on World Heritage Sites can be found on the Department for Culture, Media and Sport's website (<https://www.gov.uk/government/publications/2010-to-2015-government-policy-conservation-of-historic-buildings-and-monuments/2010-to-2015-government-policy-conservation-of-historic-buildings-and-monuments#appendix-1-nominating-places-in-the-uk-for-world-heritage-site-status>) and on the UNESCO website (<http://whc.unesco.org/>).

Paragraph: 038 Reference ID: 18a-038-20140306

Revision date: 06 03 2014

Non-designated heritage assets

What are non-designated heritage assets and how important are they?

Local planning authorities may identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets (<https://www.gov.uk/guidance/national-planning-policy-framework/annex-2-glossary>). In some areas, local authorities identify some non-designated heritage assets as 'locally listed'.

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process.

Paragraph: 039 Reference ID: 18a-039-20140306

Revision date: 06 03 2014

What are non-designated heritage assets of archaeological interest and how important are they?

The National Planning Policy Framework identifies 2 categories of non-designated site of archaeological interest:

(1) Those that are demonstrably of equivalent significance to scheduled monuments and are therefore considered subject to the same policies as those for designated heritage assets (National Planning Policy Framework paragraph 139 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para139>)). They are of 3 types:

- those that have yet to be formally assessed for designation
- those that have been assessed as being nationally important and therefore, capable of designation, but which the Secretary of State has exercised his discretion not to designate usually because they are given the appropriate level of protection under national planning policy
- those that are incapable of being designated by virtue of being outside the scope of the Ancient Monuments and Archaeological Areas Act 1979 because of their physical nature

The reason why many nationally important monuments are not scheduled is set out in the document Scheduled Monuments, published by the Department for Culture, Media and Sport (DCMS). Information on location and significance of such assets is found in the same way as for all heritage assets. Judging whether sites fall into this category may be assisted by reference to the criteria for scheduling monuments. Further information on scheduled monuments can be found on the Department for Culture, Media and Sport's website.

(<https://www.gov.uk/government/publications/2010-to-2015-government-policy-conservation-of-historic-buildings-and-monuments/2010-to-2015-government-policy-conservation-of-historic-buildings-and-monuments#appendix-5-protecting-ancient-monuments-through-the-scheduling-system>)

(2) Other non-designated heritage assets of archaeological interest. By comparison this is a much larger category of lesser heritage significance, although still subject to the conservation objective. On occasion the understanding of a site may change following assessment and evaluation prior to a planning decision and move it from this category to the first

Where an asset is thought to have archaeological interest, the potential knowledge which may be unlocked by investigation may be harmed even by minor disturbance, because the context in which archaeological evidence is found is crucial to furthering understanding.

Decision-taking regarding such assets requires a proportionate response by local planning authorities. Where an initial assessment indicates that the site on which development is proposed includes or has potential to include heritage assets with archaeological interest, applicants should be required to submit an appropriate desk-based assessment and, where necessary, a field evaluation. However, it is estimated following an initial assessment of archaeological interest only a small proportion – around 3% – of all planning applications justify a requirement for detailed assessment.

Paragraph: 040 Reference ID: 18a-040-20140306

Revision date: 06 03 2014

How are non-designated heritage assets identified?

Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development.

It is helpful if Local Plans note areas of potential for the discovery of non-designated heritage assets with archaeological interest. The historic environment record will be a useful indicator of archaeological potential in the area. In judging if non-designated sites of archaeological interest are demonstrably of equivalent significance to scheduled monuments, and therefore considered subject to the same policies as those for designated heritage assets, local planning authorities should refer to Department for Culture, Media and Sport's criteria for scheduling monuments.

When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list. For non-designated heritage assets with archaeological interest, local planning authorities should refer to 'What are non-designated heritage assets of archaeological interest and how important are they?'

See related policy: paragraphs 89 to 91 (<https://www.gov.uk/guidance/national-planning-policy-framework/9-protecting-green-belt-land#para089>)

Paragraph: 041 Reference ID: 18a-041-20140306

Revision date: 06 03 2014

How should Neighbourhood Development Orders and Community Right to Build Orders take account of heritage conservation?

The policies in the National Planning Policy Framework, and the associated guidance, which relate to decision-taking on planning applications which affect the historic environment, apply equally to the consideration of what planning permission should be granted through Neighbourhood Development Orders and Community Right to Build Orders.

Neighbourhood Development Orders and Community Right to Build Orders can only grant planning permission, not heritage consents (ie listed building consent or scheduled monument consent).

Historic England must be consulted on all Neighbourhood Development Orders and Community Right to Build Orders to allow it to assess the impacts on the heritage assets, and determine whether an archaeological statement (definition in regulation 22(2) of the Neighbourhood Planning (General) Regulations 2012 (<http://www.legislation.gov.uk/uksi/2012/637/regulation/22/made>)) is required. This, and other consultation requirements relating to development affecting heritage assets, are set out in regulation 21 of, and Schedule 1 to, the Neighbourhood Planning (General) Regulations 2012 (<http://www.legislation.gov.uk/uksi/2012/637/contents/made>).

Further information on making these Orders can be found:

- in the Neighbourhood planning section of guidance (<https://www.gov.uk/guidance/neighbourhood-planning-2>)
- in the When is permission required? section of guidance (<https://www.gov.uk/guidance/when-is-permission-required>)
- on Historic England's website (<https://www.historicengland.org.uk/>)

Paragraph: 042 Reference ID: 18a-042-20140306

Revision date: 06 03 2014

Heritage consent processes

Is listed building consent the same as planning permission?

Listed building consent and planning permission are 2 separate regimes. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

Paragraph: 043 Reference ID: 18a-043-20140306

Revision date: 06 03 2014

When is an application for planning permission required to carry out works to a listed building?

This will depend on the particular works involved, but in general terms:

- an application for planning permission is required if the works would usually require a planning application if the building was not listed
- an application for planning permission is not required if the works would normally be permitted development and there are no restrictions on the permitted development rights in respect of listed buildings and the permitted development rights (<https://www.gov.uk/guidance/when-is-permission-required#What-are-permitted-development-rights>) have not been removed locally
- an application for planning permission is not required if the works would not constitute 'development' (<https://www.gov.uk/guidance/when-is-permission-required#what-is-development>) eg internal works to listed buildings

The requirement for listed building consent is not the same as for planning permission. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

Paragraph: 044 Reference ID: 18a-044-20140306

Revision date: 06 03 2014

When is listed building consent required?

Any works to demolish any part of a listed building or to alter or extend it in a way that affects its character as a building of special architectural or historic interest require listed building consent, irrespective of whether planning permission is also required. It is important to note that it may be a criminal offence to fail to apply for consent when it is required. For all grades of listed building, unless the list entry indicates otherwise, the listing status covers the entire building, internal and external, objects fixed to it and sometimes also attached and curtilage buildings or other structures.

Undertaking works, or causing works to be undertaken, to a listed building which would affect its character as a building of special historic or architectural interest, without first obtaining listed building consent is an offence under section 9 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (<http://www.legislation.gov.uk/ukpga/1990/9/section/9>).

There is no fee for submitting an application for listed building consent.

The requirement for listed building consent is not the same as for planning permission. So for some proposed works both planning permission and listed building consent will be needed and sometimes only one, or neither, is required.

Paragraph: 045 Reference ID: 18a-045-20140306

Revision date: 06 03 2014

What is a Listed Building Heritage Partnership Agreement?

A Listed Building Heritage Partnership Agreement is an Agreement between a local planning authority and the owner(s) of a listed building or group of listed buildings which grants listed building consent. It allows the local planning authority to grant listed building consent for the duration of the Agreement for specified works of alteration or extension (but not demolition) of those listed buildings covered by the Agreement (see sections 26A and 26B of the Planning (Listed Buildings and Conservation Areas) Act 1990) (<http://www.legislation.gov.uk/ukpga/2013/24/section/60>).

Listed Building Heritage Partnership Agreements remove the need for the owner(s) concerned to submit repetitive applications for listed building consent for works covered by an Agreement.

When considering whether to grant listed building consent in a Listed Building Heritage Partnership Agreement local authorities are required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest possessed by the listed building(s) to be included in the Agreement and should take account of the relevant policies in the National Planning Policy Framework.

Paragraph: 046 Reference ID: 18a-046-20140410

Revision date: 10 04 2014 See previous version

(http://webarchive.nationalarchives.gov.uk/20140320163321/http://planningguidance.planningportal.gov.uk/blog/guidance/conserving-and-enhancing-the-historic-environment/is-an-application-for-planning-permission-required-to-carry-out-works-to-a-listed-building/#paragraph_046)

How long will a Listed Building Heritage Partnership Agreement last?

A Listed Building Heritage Partnership Agreement must make provision for its termination. The duration of a Listed Building Heritage Partnership agreement will be a matter for the local planning authority and the other parties to the Agreement to decide. Setting a time limit for a Listed Building Heritage Partnership Agreement is recommended to ensure that the Agreement continues to meet appropriate standards and principles for conservation, and continues to have regard to the special interest of the building.

Paragraph: 064 Reference ID: 18a-064-20140410

Revision date: 10 04 2014

What procedures does a local planning authority need to follow for a Listed Building Heritage Partnership Agreement?

The procedures, including those around consultation and publicity, which local planning authorities must follow for Listed Building Heritage Partnership Agreements, are set out in the Planning (Listed Buildings and Conservation Areas) (Heritage Partnership Agreements) Regulations 2014 (<http://www.legislation.gov.uk/uksi/2014/550/contents/made>). Good practice advice on Listed Building Heritage Partnership Agreements can be found on Historic England's website (<https://www.historicengland.org.uk/>).

Paragraph: 065 Reference ID: 18a-065-20140410

Revision date: 10 04 2014

What is a Local Listed Building Consent Order?

Local Listed Building Consent Orders are made by local planning authorities and grant listed building consent for works of any description for the alteration or extension (but not demolition) of listed buildings in their area (see sections 26D-26G, 28A and schedule 2A of the Planning (Listed Buildings and Conservation Areas) Act 1990 (<http://www.legislation.gov.uk/ukpga/2013/24/section/60>)). This means that owners and developers do not need to submit repetitive applications for listed building consent for works covered by an Order.

When considering making a Local Listed Building Consent Order local authorities are required to have special regard to the desirability of preserving the listed building(s) to which the Order applies, their setting or any features of special architectural or historic interest they possess and should take account of the relevant policies in the National Planning Policy Framework.

Paragraph: 066 Reference ID: 18a-066-20140410

Revision date: 10 04 2014

How long will a Local Listed Building Consent last?

There is no time limit on the duration of Local Listed Building Consent Orders set out in the regulations. Local planning authorities may consider it expedient to set a time limit for the Order.

Paragraph: 067 Reference ID: 18a-067-20140410

Revision date: 10 04 2014

What procedures does a local planning authority need to follow when making a Local Listed Building Consent Order?

The procedures, including those around consultation and publicity, which local planning authorities must follow when making a Local Listed Building Consent Order are set out in the Planning (Local Listed Building Consent Orders) (Procedure) Regulations 2014 (<http://www.legislation.gov.uk/uksi/2014/551/contents/made>) and good practice advice can be found on Historic England's website (<https://www.historicengland.org.uk/>).

Paragraph: 068 Reference ID: 18a-068-20140410

Revision date: 10 04 2014

What is the difference between a Listed Building Heritage Partnership Agreement and a Local Listed Building Consent Order?

Listed Building Heritage Partnership Agreements are Agreements made between the local planning authority and the owner(s) of a listed building or group of listed buildings. There may be additional parties to the Agreement. As well as granting a general listed building consent for agreed works of alteration or extension to the listed building(s) to which the Agreement relates, they can cover other matters such as public access or management issues. They might be used for example, to cover university campuses or large office buildings.

Local Listed Building Consent Orders are made by the local planning authority and grant a general listed building consent for specified works of alteration or extension to listed buildings of a specified description or in a specified part of the authority's area. They do not cover any other matters relating to the listed buildings. They are likely to be used for groups of similar or related listed buildings in multiple ownership, for example, estate villages or rows of terraced houses.

Paragraph: 069 Reference ID: 18a-069-20140410

Revision date: 10 04 2014

What is a Listed Building Consent Order?

A Listed Building Consent Order is made by the Secretary of State to grant listed building consent for works of any description for the alteration or extension (but not demolition) of listed buildings of any description in England (see sections 26C, 26F, 26G and 28A of the Planning (Listed Buildings and Conservation Areas) Act 1990 (<http://www.legislation.gov.uk/ukpga/2013/24/section/60>)).

When considering making a Listed Building Consent Order the Secretary of State is required to have special regard to the desirability of preserving the listed building(s) to which the Order applies, their setting or any features of special architectural or historic interest they possess and should take account of the relevant policies in the National Planning Policy Framework.

A pilot Listed Building Consent Order is currently being developed with the Canal and River Trust to help inform the approach to future Orders. Further information on Listed Building Consent Orders can be found on Historic England's website (<https://www.historicengland.org.uk/>).

Paragraph: 070 Reference ID: 18a-070-20140410

Revision date: 10 04 2014

What is a Certificate of Lawfulness of Proposed Works?

A Certificate of Lawfulness of Proposed Works provides formal confirmation that proposed works of alteration or extension (but not demolition) of a listed building do not require listed building consent because they do not affect the character of the listed building as a building of special architectural or historic interest (see section 26H of the Planning (Listed Buildings and Conservation Areas) Act 1990 (<http://www.legislation.gov.uk/ukpga/2013/24/section/61>)).

Certificates of Lawfulness of Proposed Works are only available in respect of works which have not yet been carried out – they cannot be obtained retrospectively.

Works for which a Certificate of Lawfulness of Proposed Works is issued must be undertaken within 10 years from the date of issue of the Certificate.

Any person wishing to obtain a Certificate must submit an application to their local planning authority. The procedures for applications, and appeals against refusal or non-determination of an application, are set out in the Planning (Listed Buildings) (Certificates of Lawfulness of Proposed Works) Regulations 2014 (<http://www.legislation.gov.uk/uksi/2014/552/contents/made>).

Paragraph: 071 Reference ID: 18a-071-20140410

Revision date: 10 04 2014

Is it necessary to apply for a Certificate of Lawfulness of Proposed Works before carrying out minor works to a listed building?

There is no obligation on anyone to apply for a Certificate of Lawfulness of Proposed Works.

Where a person is satisfied that the works they want to carry out do not require listed building consent they can, if they wish, proceed with those works without obtaining any confirmation from the local planning authority.

In order to avoid unnecessary applications, if there is any doubt about whether listed building consent is required, we would encourage owners and developers to discuss the matter with the local planning authority before submitting any application.

Paragraph: 072 Reference ID: 18a-072-20140410

Revision date: 10 04 2014

Is an application for planning permission required to carry out works to an unlisted building in a conservation area?

Planning permission is required for the demolition of certain unlisted buildings in conservation areas (known as 'relevant demolition') – see 'When is permission required?' (<https://www.gov.uk/guidance/when-is-permission-required#demolition-in-a-conservation-area>) section of the guidance.

Generally the requirement for planning permission for other works to unlisted buildings in a conservation area is the same as it is for any building outside a conservation area, although some permitted development rights are more restricted in conservation areas. Further information in 'When is permission required?' (<https://www.gov.uk/guidance/when-is-permission-required>) section of guidance.

Demolishing an unlisted building in a conservation area, without first obtaining planning permission where it is needed, is an offence under section 196D of the Town and Country Planning Act 1990 (<http://www.legislation.gov.uk/ukpga/2013/24/schedule/17>).

There is no fee for submitting an application for planning permission for the "relevant demolition" of certain unlisted buildings in conservation areas.

Paragraph: 047 Reference ID: 18a-047-20140306

Revision date: 06 03 2014

What permissions/consents are needed for works to scheduled monuments and protected wreck sites?

Planning permission may be required (<https://www.gov.uk/guidance/when-is-permission-required>) for works to these kinds of designated heritage assets depending on whether they constitute 'development' and whether any permitted development rights apply.

Irrespective of any requirement to obtain planning permission, works to scheduled monuments may require scheduled monument consent and works relating to protected wreck sites may require licences. These consent/licence regimes are outside the planning system and are the responsibility of the Department for Culture, Media and Sport (DCMS) advised and administered by Historic England. Further information on these regimes, including any consultation arrangements, can be found on the Department for Culture, Media and Sport's website (<https://www.gov.uk/government/policies/conservation-of-historic-buildings-and-monuments>).

Paragraph: 048 Reference ID: 18a-048-20140306

Revision date: 06 03 2014

What permissions/consents are needed for registered parks and gardens, and battlefields?

Registered parks and gardens and registered battlefields are subject to the usual requirements to obtain planning permission. As they are designated heritage assets, the policies on designated heritage assets in the National Planning Policy Framework apply both in relation to plan-making and decision-taking. As paragraph 132 (<https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment#para132>) of the National Planning Policy Framework makes clear, substantial harm to or loss of:

- any designated heritage asset of the highest significance, which includes protected wreck sites, battlefields and grade I and II* parks and gardens, should be "wholly exceptional"
- any grade II park or garden should be "exceptional"

Local authorities are required to consult Historic England and The Gardens Trust (formerly known as The Garden History Society) on certain applications for planning permission in respect of registered parks and gardens and registered battlefields.

Paragraph: 049 Reference ID: 18a-049-20140306

Revision date: 06 03 2014

Consultation and notification requirements for heritage related applications

When should local planning authorities consult or notify other organisations about heritage related applications?

Local planning authorities are required to consult or notify Historic England, The Gardens Trust (formerly known as The Garden History Society) and the National Amenity Societies (ie the Ancient Monuments Society, the Council for British Archaeology, the Georgian Group, the Society for the Protection of Ancient Buildings, the Victorian Society and the Twentieth Century Society) on certain applications.

Paragraph: 050 Reference ID: 18a-050-20140306

Revision date: 06 03 2014

When does Historic England need to be consulted or notified on applications for planning permission and listed building consent?

The requirements for consulting or notifying Historic England for different types of applications are set out at the following links:

- applications for planning permission
- applications for listed building consent

Paragraph: 051 Reference ID: 18a-051-20140306

Revision date: 06 03 2014

When do National Amenity Societies need to be notified of listed building consent applications?

National Amenity Societies need to be notified of certain listed building consent applications. The requirements are set out in Table 3.

Paragraph: 052 Reference ID: 18a-052-20140306

Revision date: 06 03 2014

When does The Gardens Trust (formerly known as The Garden History Society) need to be consulted on applications for planning permission?

The Gardens Trust needs to be consulted on certain planning applications. The requirements are set out in Table 4.

Paragraph: 053 Reference ID: 18a-053-20140306

Revision date: 06 03 2014

When should local planning authorities notify the Secretary of State for Communities and Local Government on heritage applications?

The current requirements for notifying the Secretary of State for Communities and Local Government are set out in Table 5.

Paragraph: 054 Reference ID: 18a-054-20140306

Revision date: 06 03 2014

Are applications where the applicant is Historic England or a local planning authority treated differently?

Some applications where the applicant is Historic England or a local planning authority are treated differently and are determined by the Secretary of State for Communities and Local Government rather than the local planning authority. Details are set out in Table 6.

Paragraph: 055 Reference ID: 18a-055-20140306

Revision date: 06 03 2014

Where should applications which need to be referred to Secretary of State for Communities and Local Government be sent?

They should be sent to the National Planning Casework Unit:

Address:

5 St Philips Place
Colmore Row
Birmingham
B3 2PW

Enquiry number: 0303 444 8050

E-mail: npcu@communities.gsi.gov.uk

Paragraph: 056 Reference ID: 18a-056-20140306

Revision date: 06 03 2014

Table 1: Applications for planning permission: requirements to consult or notify Historic England

Broad requirements	Detailed requirements
For development that would affect the setting of a Grade I or Grade II* listed building	Regulation 5A(3) of the Town and Country Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) (http://www.legislation.gov.uk/ukxi/2015/809/contents/made)
For development involving the demolition, in whole or part, or the material alteration of Grade I or II* listed buildings	Article 18 of and Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 (http://www.legislation.gov.uk/ukxi/2015/595/contents/made)
For development that would affect the character and appearance of a conservation area where the development involves the erection of a new building or the extension of an existing building, and the area of land in respect of which the application is made is more than 1,000 square metres	Regulation 5A(3) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) (http://www.legislation.gov.uk/ukxi/2015/809/contents/made)
For development likely to affect the site of a scheduled monument	Article 18 of and Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 (http://www.legislation.gov.uk/ukxi/2015/595/contents/made)
For development likely to affect a registered battlefield or a grade I or II* park or garden on Historic England's Register of Historic Parks and Gardens of Special Historic Interest in England	Article 18 of and Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 (http://www.legislation.gov.uk/ukxi/2015/595/contents/made)
For development likely to affect certain strategically important views in London	Secretary of State for Communities and Local Government Directions relating to Protected Vistas (https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/supplementary-planning-guidance/london-view-management)

Broad requirements	Detailed requirements
All applications by local planning authorities for demolition of an unlisted building in a conservation area	Regulation 4A of the Town and Country Planning General Regulations 1992 (as amended) (http://www.legislation.gov.uk/uksi/2015/807/contents/made)

Paragraph: 057 Reference ID: 18a-057-20140306

Revision date: 06 03 2014

Table 2: Applications for listed building consent: requirements to notify Historic England

Broad requirements	Detailed requirements
To give notice of applications and decisions for works in respect of a Grade I or II* listed building	Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 (https://www.gov.uk/government/publications/arrangements-for-handling-heritage-applications-direction-2015)
To give notice of applications and decisions for certain works to Grade II (unstarred) listed buildings. To notify where an application is made to a London borough, and the authority has not determined to refuse it	Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 (https://www.gov.uk/government/publications/arrangements-for-handling-heritage-applications-direction-2015) and Section 14 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (http://www.legislation.gov.uk/ukpga/1990/9/section/14)

Paragraph: 058 Reference ID: 18a-058-20140306

Revision date: 06 03 2014

Table 3: Applications for listed building consent: requirements to notify the National Amenity Societies

Broad requirements	Detailed requirements
To give notice of applications and decisions for works which comprise or include the demolition of the whole or any part of a listed building	Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 (https://www.gov.uk/government/publications/arrangements-for-handling-heritage-applications-direction-2015)

Paragraph: 059 Reference ID: 18a-059-20140306

Revision date: 06 03 2014

Table 4: Applications for planning permission: requirements to consult The Gardens Trust (formerly known as The Garden History Society)

Broad requirements	Detailed requirements
For development likely to affect any park or garden on Historic England's Register of Historic Parks and Gardens of Special Historic Interest in England	Article 18 of and Schedule 4 to the Town and Country Planning (Development Management Procedure) (England) Order 2015 (http://www.legislation.gov.uk/ukxi/2015/595/contents/made)

Paragraph: 060 Reference ID: 18a-060-20140306

Revision date: 06 03 2014

Table 5: Applications for planning permission and listed building consent: requirements to notify the Secretary of State for Communities and Local Government

Type of application	Broad requirements	Detailed requirements
Application for planning permission	Where the local planning authority intends to grant consent for proposals to which Historic England objects because it would have an adverse impact on a World Heritage Site	Circular 02/09: The Town and Country Planning (Consultation)(England) Direction 2009 (https://www.gov.uk/government/publications/the-town-and-country-planning-consultation-england-direction-2009-circular-02-2009)
Application for listed building consent	Outside Greater London only, or in Greater London where the application is made by Historic England, where the local planning authority intend to grant consent for works to any Grade I or II* listed building or certain works to Grade II (unstarred) listed buildings where Historic England or any of the National Amenity Societies are notified and object	Section 13 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (http://www.legislation.gov.uk/ukpga/1990/9/section/13) and Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 (https://www.gov.uk/government/publications/arrangements-for-handling-heritage-applications-direction-2015)
	In Greater London only, where Historic England intend to direct the authority to grant consent or authorise it to determine the application as it sees fit, in relation to Grade I and II* listed buildings and certain works to Grade II (unstarred) listed buildings	Section 14 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (http://www.legislation.gov.uk/ukpga/1990/9/section/14) and Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 (https://www.gov.uk/government/publications/arrangements-for-handling-heritage-applications-direction-2015)

Paragraph: 061 Reference ID: 18a-061-20140306

Revision date: 06 03 2014

Table 6: Applications for listed building consent and planning permission for demolition of an unlisted building in a conservation area from Historic England and local planning authorities: requirement to refer to the Secretary of State

Type of application	Broad requirements	Detailed requirements
Application for listed building consent by Historic England where Historic England or a national amenity society are notified and object to the work	To refer for determination applications	Arrangements for handling heritage applications – notification to Historic England and National Amenity Societies and the Secretary of State (England) Direction 2015 (https://www.gov.uk/government/publications/arrangements-for-handling-heritage-applications-direction-2015)
Application for listed building consent by local planning authorities, where Historic England or a national amenity society are notified and object to the proposed works, and the local authority do not propose to refuse the application	To refer for determination applications	Regulation 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended) (http://www.legislation.gov.uk/uksi/2015/809/contents/made)
Application for planning permission for demolition of unlisted building in a conservation area by local planning authorities where Historic England objects to the proposed works, and the local authority do not propose to refuse the application	To refer for determination applications	Regulation 4A of the Town and Country Planning General Regulations 1992 (as amended) (http://www.legislation.gov.uk/uksi/2015/807/contents/made)

Paragraph: 062 Reference ID: 18a-062-20140306

Revision date: 06 03 2014

Further information on heritage and planning issues

Where can I find further information on heritage planning issues?

- Listed building consent enforcement (<https://www.gov.uk/guidance/ensuring-effective-enforcement#Listed-Building-enforcement>)
- Listed building consent appeals (<https://www.gov.uk/guidance/appeals#appeals-against-other-planning-decisions>)
- Compulsory purchase in section 10 of the department's Guidance on compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion (<https://www.gov.uk/government/publications/compulsory-purchase-process-and-the-crichel-down-rules-guidance>)

Paragraph: 063 Reference ID: 18a-063-20140306

Revision date: 06 03 2014

Contents

Published: 10 April 2014

From: Department for Communities and Local Government

(<https://www.gov.uk/government/organisations/department-for-communities-and-local-government>)

Part of: Planning practice guidance (<https://www.gov.uk/government/collections/planning-practice-guidance>) Planning system (<https://www.gov.uk/government/policies/planning-system>)