

Historic Environment Background Paper The Cheltenham Plan 2011-2031

Cheltenham Borough Council
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1. Introduction

- 1.1 This Background Paper sets out relevant international, national and local policies, strategies, guidance and the evidence base; to inform historic environment policy development through the Cheltenham Plan 2011–2031.
- 1.2 The historic environment encompasses a wide range of components including; buildings, structures, archaeology, landscape features and open spaces, referred to as heritage assets. The National Planning Policy Framework defines heritage assets as:
“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listing).”
- 1.3 Designated Heritage assets include; Scheduled Monuments, Listed Buildings, Registered Parks and Gardens Conservation Areas, World Heritage Sites, Registered Battlefields and Protected Wreck Sites designated under the relevant legislation.
- 1.4 Heritage assets that are not designated under the provisions of legislation but are identified by the local planning authority (the LPA) as having historical or architectural significance are referred to as non-designated heritage assets.
- 1.5 The historic environment is an important aspect of Cheltenham for a variety of reasons, including: providing a sense of place, economic prosperity, regeneration, civic pride, sustainability, education, leisure and tourism, and health and well-being. Positive policies delivered through the Cheltenham Plan 2011-2031 will help to appropriately manage change in the historic environment.

2. Legislation and guidance

- 2.1 There is comprehensive international, national and local legislation and guidance that impact on the historic environment that has and will continue to evolve, to reflect how the historic environment is valued and is subject to change. The following legislation and guidance should be considered in forming the historic environment policies of the Cheltenham Plan 2011-2031 to ensure compliance with law, policy and best practice.

International

- 2.2 The United Kingdom is a signatory of the European Convention on the Protection of the Archaeological Heritage (Revised) Treaty 1992. The convention makes the conservation and enhancement of archaeological heritage an aim of planning policies.

National

- 2.3 The Ancient Monuments and Archaeological Areas Act 1979 (the 1979 Act) is a law that was passed by the government of the United Kingdom which legislates to protect archaeological heritage. The 1979 Act provides law that allows significant monuments to be included in the Schedule of Monuments kept by the Secretary of State for Digital, Culture, Media and Sport

(DCMS) and affords statutory protection to the monuments. Scheduled Monuments are subject to a consent regime administered by Historic England on behalf of DCMS.

- 2.4 The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act) provides legislation that allows for buildings, structures and conservation areas to be designated. Sections 16(2) and 66(1) of the 1990 Act requires that special regard be given “to the desirability of preserving the building or its setting or any features of special architectural historic interest which it possesses” in planning or listed building decision making. Section 72(1) of the 1990 Act makes similar provisions for preserving or enhancing the character or appearance of conservation areas.
- 2.5 Section 69 (Designation of conservation areas) provides the legislation that allows local planning authorities to designate conservation areas and requires that the authority reviews the areas designated.
- 2.6 The National Planning Policy Framework (the NPPF) published by the Department for Communities and Local Government in March 2012 sets out the Government’s planning policies for England and how these are expected to be applied.
- 2.7 At the core of the NPPF is the achievement of sustainable development through planning. Sustainable development has three dimensions: economic, social and environmental which are inexorably linked to a positive approach to the historic environment.
- 2.8 The NPPF at paragraph 126 states that:

“Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment.....In developing this strategy, local planning authorities should take into account:

- *the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- *the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
- *the desirability of new development making a positive contribution to local character and distinctiveness; and*
- *opportunities to draw on the contribution made by the historic environment to the character of a place.”*

- 2.9 Section 12 of the NPPF Conserving and enhancing the historic environment, provides fundamental policy guidance for informing plan-preparation and decision making, and should duly influence the historic environment policies of the Cheltenham Plan 2011-2031. The following paragraphs have particular relevance to the development of the Cheltenham Plan 2011-2031:

“When considering the designation of conservation areas, local planning authorities should ensure than an area justifies such status because of its special architectural or historic interest,

and that the concept of conservation is not devalued through the designation of areas that lack special interest.” (Para 127)

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.” (Para 135)

- 2.10 The Ministry of Housing, Communities and Local Government has published planning practice guidance on Conserving and enhancing the historic environment (April 2014), which includes advice on “Plan making: historic environment” and reflects the guidance of the NPPF.
- 2.11 Historic England (HE) is a public body that advises Government and produces advice on numerous aspects of the historic environment. A key document in informing the implementation of historic environment policy in the NPPF in respect to Local Plans is The Historic Environment in Local Plans, Historic Environment Good Practice Advice in Planning: 1 (July 2015). The advice note outlines the requirements of the NPPF and advises on gathering, sources and the application of evidence.
- 2.12 The HE guidance contained in Conservation Area Designation, Appraisal and Management, Historic England Advice Note 1 (February 2016), sets out ways to manage change in a manner that conserves and enhances historic areas through conservation area designation, appraisal and management.
- 2.13 The document Conservation Principles, Policies and Guidance: For the Sustainable Management of the Historic Environment, published by English Heritage in 2008 provides 6 Conservation Principles which give a comprehensive framework for the sustainable management of the historic environment under the following headlines:
- Principle 1: The historic environment is a shared resource
- Principle 2: Everyone should be able to participate in sustaining the historic environment
- Principle 3: Understanding the significance of places is vital
- Principle 4: Significant places should be managed to sustain their values
- Principle 5: Decisions about change must be reasonable, transparent and consistent
- Principle 6: Documenting and learning from decisions is essential.

Local

- 2.14 The Gloucester, Cheltenham and Tewkesbury Joint Core Strategy (JCS) is a high-level strategic document forming part of the development plan of the area covered by Gloucester City Council, Tewkesbury Borough Council and Cheltenham Borough Council (adopted 11 December 2017).
- 2.15 Paragraph 4.91 of the JCS states:

“The JCS and district plans will together provide a framework of policies for securing the conservation, enhancement, improvement and enjoyment of the historic environment.”

2.16 Policy SD8: Historic Environment says:

1. The built, natural and cultural heritage of Gloucester City, Cheltenham town, Tewkesbury town, smaller historic settlements and the wider countryside will continue to be valued and promoted for their important contribution to local identity, quality of life and the economy.

2. Development should make a positive contribution to local character and distinctiveness, having regard to valued and distinctive elements of the historic environment.

3. Designated and undesignated heritage assets and their settings will be conserved and enhanced as appropriate to their significance, and for their important contribution to local character, distinctiveness and sense of place. Consideration will also be given to the contribution made by heritage assets to supporting sustainable communities and the local economy. Development should aim to sustain and enhance the significance of heritage assets and put them to viable uses consistent with their conservation whilst improving accessibility where appropriate.

4. Proposals that will secure the future conservation and maintenance of heritage assets and their settings that are at risk through neglect, decay or other threats will be encouraged. Proposals that will bring vacant or derelict heritage assets back into appropriate use will also be encouraged.

5. Development proposals at Strategic Allocations must have regard to the findings and recommendations of the JCS Historic Environment Assessment (or any subsequent revision) demonstrating that the potential impacts on heritage assets and appropriate mitigation measures have been addressed.

3. Evidence

Policy context

3.1 The NPPF states at paragraph 158 that local planning authorities

“should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.”

3.2 Paragraph 169 of the NPPF says:

“Local planning authorities should have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. They should also use it to predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future. Local planning authorities should either maintain or have access to a historic environment record.”

Heritage Assets

Designated Heritage Assets

- 3.3 Cheltenham has over 2,600 buildings that are included on the National Heritage List for England (the NHLE), maintained by Historic England for the Department of Digital, Culture, Media and Sport (DCMS). Buildings that are on the list are afforded legal recognition under the 1990 Act and are included for their special architectural and historic interest.
- 3.4 Listed buildings are classified in three grades:
Grade I buildings are of exceptional interest; only 2.5% of listed buildings in England are Grade I.
Grade II* buildings are particularly important buildings of more than special interest; 5.8% of listed buildings are Grade II*.
Grade II buildings are of special interest; 91.7% of all listed buildings are in this class.
- 3.5 Cheltenham has 5 Grade I listed buildings; 387 at Grade II* and 2,210 at Grade II. <https://historicengland.org.uk/listing/the-list/>
- 3.6 Cheltenham Borough contains 3 Scheduled Monuments which are given legal protection under the Ancient Monuments and Archaeological Areas Act 1979. These are:
- Battledown Camp
 - Cross in St. Mary's churchyard, Charlton Kings
 - Moated site west of Laxton Meadow Farm, Prestbury
- 3.7 There are also 3 Registered Parks and Gardens which have legal status under the National Heritage Act 1983. These are:
- Pittville Park
 - Bouncer's Lane Cemetery
 - Glenfall House
- 3.8 The grading of Registered Parks and Gardens is identical to that of listed buildings with those in Cheltenham being at Grade II.
- 3.9 There are 7 Conservation Areas in the borough, designated under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 3.10 The Central Conservation Area was designated by Gloucestershire County Council in May 1973 and the boundary was extended by Cheltenham Borough Council on 14 August 1987. The extent of the area is c.599 hectares. Due to the size of the conservation area it is split into 19 character areas, each of which has an adopted Character Area Appraisal and Management Plan of 2007 or 2008.
- 3.11 The other conservation areas are:

Bafford (Charlton Kings) – designated by Cheltenham Borough Council on 2 October 1989 and its boundary was revised on 15 November 2001 – Character Appraisal & Management Plan (Supplementary Planning Document) (SPD) adopted 29 June 2009.

Cudnall Street (Charlton Kings) – designated by Cheltenham Borough Council on 2 October 1989 and its boundary was revised on 15 November 2001 – Character Appraisal & Management Plan (SPD) adopted 29 June 2009.

Poets (St Marks) – designated by Cheltenham Borough Council on 21 May 2001 – Character Appraisal & Management Plan (SPD) adopted 29 June 2009.

Prestbury – designated by Gloucestershire County Council on 15 August 1971 and its boundary was revised by Cheltenham Borough Council on 26 July 2001 – Character Appraisal and Management Plan (SPD) adopted 29 June 2003.

Swindon Village - designated by Tewkesbury Borough Council on 11 November 1986 - Character Appraisal & Management Plan (SPD) adopted February 2007.

St Mary's (Charlton Kings) - designated by Cheltenham Borough Council on 2 October 1989 and its boundary was revised on 3 September 2001 – Character Appraisal & Management Plan (SPD) adopted 29 June 2009.

3.12 The Council is currently revising the character appraisals and management plans of its conservation areas.

3.13 There are 2 buildings included on Historic England's Buildings at Risk Register (2017):

Church of St Mark, Church Road, Cheltenham (Grade II)

Condition: Poor

List entry number: 1386790

Church of St Luke, College Road, Cheltenham (Grade II)

Condition: Poor

List entry number: 1387880

Non-designated heritage assets

3.14 Cheltenham has c.450 buildings and structures that do not meet the strict criteria for statutory listing but do make a positive contribution to the historic environment. These buildings and structures are recorded on the Borough Council's index of buildings of local interest. The index was adopted as SPD in 2007.

https://www.cheltenham.gov.uk/info/52/conservation/862/listed_and_locally_indexed_buildings/5

Historic Environment Record

3.15 The Gloucestershire Historic Environment Record (HER) forms a significant part of the evidence base. The HER collates information on archaeology and the historic built environment.

<http://www.gloucestershire.gov.uk/planning-and-environment/archaeology/request-archaeological-data-from-gloucestershires-historic-environment-record-her/>

Historic Landscape Characterisation

- 3.16 The Gloucestershire Historic Landscape Characterisation (HLC) includes the Cotswold Area of Outstanding Natural Beauty (AONB) within the counties of Gloucestershire, Oxfordshire, Warwickshire, Wiltshire and Worcestershire, and the remainder of the county of Gloucestershire together with the Wye Valley (AONB) in the counties of Herefordshire and Monmouthshire. It characterises the present landscape in terms of the visible evidence of the human processes that have shaped it through time. The HLC can be used to inform planning and conservation initiatives and strategies.

The Economic Value of the Historic Environment

- 3.17 The historic environment is intrinsically linked to the economy, with many economic activities taking place in the historic environment, dependent on it or attracted to it.
- 3.18 Heritage Counts is the annual audit of England's heritage, first produced in 2002 and published by Historic England on behalf of the Historic Environment Forum (HEF). The following is drawn from Heritage Counts 2017:
- 278,000 people are employed in heritage, 1% of total national employment.
 - Heritage tourism generated £16.4 billion in spending by domestic and international visitors.
 - Repair and maintenance of historic buildings directly generated £ 9.6 billion in construction sector output.
 - £11.9 billion Gross Value Added (GVA).
 - The regional distribution of direct, indirect and induced heritage GVA in South West England: £ 2,533m.

<https://historicengland.org.uk/research/heritage-counts/2017-conservation-areas/>

The Social Value of the Historic Environment

- 3.19 The following is taken from Heritage Counts 2017: Heritage and Society (Historic England):
- Heritage plays an important part in our well-being and quality of life – 93% of residents say that local heritage has an impact on their quality of life.
 - Heritage supports social cohesion and inclusion – People can develop much stronger, long-lasting connections with their communities through heritage conservation work.
 - Heritage improves places – 80% of people think local heritage makes their area a better place to live.
 - People value heritage – 73% of UK adults agree that the UK government has a moral obligation to protect our heritage.

The Value of Conservation Areas

- 3.20 The following is taken from Heritage Counts 2017: 50 years of Conservation Areas:
- Conservation areas form a vital part of England. 12.5% of the national population live in conservation areas.
 - Conservation areas are a popular planning tool. 74% of adults in England believe local authorities should have the powers to restrict changes to buildings and streets in order

to preserve the character and appearance of a conservation area. This increases to 83% of residents living within a conservation area.

- Distinctive areas command higher property prices. Conservation areas at risk have lower house prices and higher levels of unemployment in 2016 compared to conservation areas not at risk.
- It is the success of conservation areas designation in preserving the historic character and architectural features of the conservation areas that adds value, rather than the designation itself. 88% of conservation area residents agreed or strongly agreed that “conservation area designation is effective in protecting the character and appearance of my area.”

4. Analysis

SWOT Analysis

- 4.1 SWOT analysis is an acronym for strengths, weaknesses, opportunities and threats, and is a structured method that evaluates these four elements of a particular subject in order to assist in the identification of objectives.
- 4.2 The following SWOT analysis of Cheltenham’s historic environment was carried out by conservation officers.

Strengths

- Significant number of designated and non-designated heritage assets.
- Very low number of designated buildings identified as being at risk by Historic England.
- Association with the Cotswolds.
- No conservation areas considered to be at risk.
- Dominant, readily identifiable architectural style and palette.
- Long established concept of ‘Regency’ Cheltenham and spas.
- Part of the borough within the Cotswold AONB.
- Vibrant town centre attracting retailers and investors.
- In-house historic environment expertise within the local authority.
- Good established working relationship with Historic England.
- Comprehensive HERs.
- Comprehensive conservation area coverage.

Opportunities

- Better review, identify and recognise non-designated heritage assets.
- Review the extent of conservation areas and their respective character appraisals and management plans.
- Identify new conservation areas.
- Improve community participation.

- Develop an approach to advertising signs within the historic environment.
- Work with the Diocese of Gloucester and Historic England to resolve the 2 'Buildings at Risk' cases in the borough.
- Ensure collaborative working with Gloucestershire County Council Highways to improve public realm.
- Comprehensively consider the historic environment at the planning pre-application stage.
- Improve partnership working between public, private and voluntary sectors.
- The emerging Cheltenham Plan 2011-2031 will provide the opportunity to consider historic environment policies.

Threats

- Retailers wishing to use inappropriate signage/corporate branding to the detriment of the historic environment.
- Types of tenure of residential properties such as Houses of Multiple Occupation (HMOs) potentially leading to lower levels of maintenance and changes to the layout of properties.
- New housing targets.
- The impact of forms of infrastructure such as utilities, lighting, traffic signs.
- Housing developments impacting on the setting of designated heritage assets.
- The high number of designated heritage assets and the extent of conservation areas may lead to complacency about the significance of the assets.
- Incremental small-scale changes in the historic environment and their cumulative impact.
- Permitted development rights.
- The desire to alter aspects of the historic environment for modern ways of living.
- Energy Performance Certificates and building regulations.
- The loss of heritage professionals within the local authority and the wider sector.
- Failure to appropriately engage with archaeology as an aspect of the historic environment.

Weaknesses

- The shortage of specialist contractors and construction skills in the heritage sector.
- Lack of Article 4 Directions.
- A significant number of conservation area character appraisals and management plans being 10 years old.
- Few heritage assets in public ownership or available for the public to visit.
- Out of date index of buildings of local interest.

Analysis: Legislation and guidance

- 4.3 From consideration of the legislation and guidance, the importance of the historic environment to the social, economic and environmental well-being of the nation is clear. A fundamental understanding of the historic environment is required to inform the management of change and the knowledge needs to be engaged with appropriately, balancing

with due weight the significance of the historic environment against the social, environmental and economic needs of the population.

Analysis: Evidence

- 4.4 The evidence base reveals the high number of designated and non-designated heritage assets across the borough and expands on the wider benefits of the historic environment. The evidence highlights the need for work to be undertaken to ensure that aspects of the historic environment are appropriately understood.

5. Cheltenham Plan 2011-2031: Policy for the historic environment

- 5.1 Based on the legislation, guidance, evidence and analysis, the Cheltenham Plan 2011-2031 contains specific policies that will ensure the continued protection and enhancement of the historic environment.
- 5.2 All other policies in the emerging Cheltenham Plan 2011-2031 have been formed to ensure that they do not have the potential to lead to detrimental impact on the historic environment.
- 5.3 Any strategic site allocation work has fully considered any impacts, both positive and negative, on the historic environment.
- 5.4 Conservation areas and their respective character appraisals and management plans will be reviewed, and potential new conservation areas and the extent of existing conservation areas have been identified. In due course new character appraisals and management plans will be considered for adoption as Supplementary Planning Documents (SPDs) in order to afford them due weight in decision making.
- 5.5 An appropriate mechanism for the monitoring the successful implementation of the historic environment policies of the Cheltenham Plan 2011-2031 has been identified and will be applied.
- 5.6 The recommendations for specific historic environment policies are as follows:
- A policy that continues to protect buildings of local importance and non-designated heritage assets.
 - Policy that positively promotes the physical preservation in situ of nationally important archaeological remains and their settings.
 - A policy that will support advertisements and signs in conservation areas providing that they respect the historic environment.