

HERITAGE WORKS

A toolkit of best practice in heritage regeneration



Historic England



RICS™

Cover image:
Deptford Market Yard,
Lewisham



Real Estate

This report was researched by Deloitte for the British Property Federation (BPF), the Royal Institution of Chartered Surveyors (RICS), and Historic England.

Acknowledgements

A range of professionals, developers, owners, local authorities, voluntary organisations and others contributed to or were interviewed as part of the Heritage Works study. In addition to representatives of Historic England, RICS and the BPF, we would like to thank them for sharing their experience and opinions. We would also like to thank the following, who have been involved with this revised publication:

Clouston Group and Xsite architecture for the Boilershop Project

The Heritage Works team

The Heritage Works study has been prepared by Deloitte working together with a Steering Group comprising:

David Tomback, Historic England
Tim Brennan, Historic England
Rachel Campbell, BPF
Alex Wheldon, VOA/RICS
Leonie Oliva, Deloitte
Victoria Cartwright, Deloitte
Grant Lock, Lichfields

Contents

Introduction	4
Context	6
1.1 What are heritage assets?	6
1.2 Heritage and regeneration	6
1.3 Heritage and sustainability	8
The economic case	9
2.1 Value of historic buildings	10
2.2 Market value	10
2.3 Indirect value	11
2.4 Outputs	11
2.5 Conclusion	11
Using heritage assets in regeneration	12
3.1 Buying your asset	12
3.2 Project initiation	14
3.3 Concept development	15
3.4 Project preparation	19
3.5 Implementation	23
3.6 Occupation and management	23
Consents regime for heritage assets	24
4.1 The NPPF	24
4.2 Listed buildings	25
4.3 Conservation areas	27
4.4 Scheduled monuments	27
4.5 World heritage sites	27
4.6 Registered parks, gardens and battlefields	27
4.7 Certificates of immunity from listing	28
4.8 Recent changes to the system	28
Further sources of information	29
Bibliography and credits	30

Introduction

Our built heritage represents an important echo of our past.

It is a huge resource helping to shape how our towns, cities and rural areas look and feel. Using the historic environment as an asset, and giving it new life, has also been one of the cornerstones of the economic and social revival of our towns and cities. The careful integration of heritage assets into regeneration projects has played an increasingly important and successful role in many major regeneration schemes and provides opportunities for conservation and development to work together to transform the built environment.

Evidence from across the country, and picked up in our new set of case studies, demonstrates that 'heritage works' and is a valuable asset that has an important role to play as a catalyst for some of the most successful regeneration projects in the country. There is a strong economic case for regenerating historic buildings – the benefits relate not only to the individual buildings, but also to the wider area and community.

Critical to the success of regeneration is finding a viable economic use that can support initial refurbishment, provide the owner or developer with a reasonable return on their investment and which generates sufficient income to ensure the long-term maintenance of the building fabric and any associated public open spaces.

Working with heritage assets requires special knowledge and experience as part of the development process, such as understanding special conservation, planning, and funding issues involved in dealing with historic buildings or places. Heritage Works provides a practical step by step guide on how to bring forward a heritage-led regeneration project; it can be used as a reference document to assist developers, owners, community groups, practitioners and others in bringing forward successful schemes.

This third edition of Heritage Works is a streamlined and updated version of the 2013 document. It includes new case studies and directs the reader to sources of further information and guidance. Its aim is to provide all those involved in the development process with the guidance they need to help make successful heritage-based regeneration achievable.

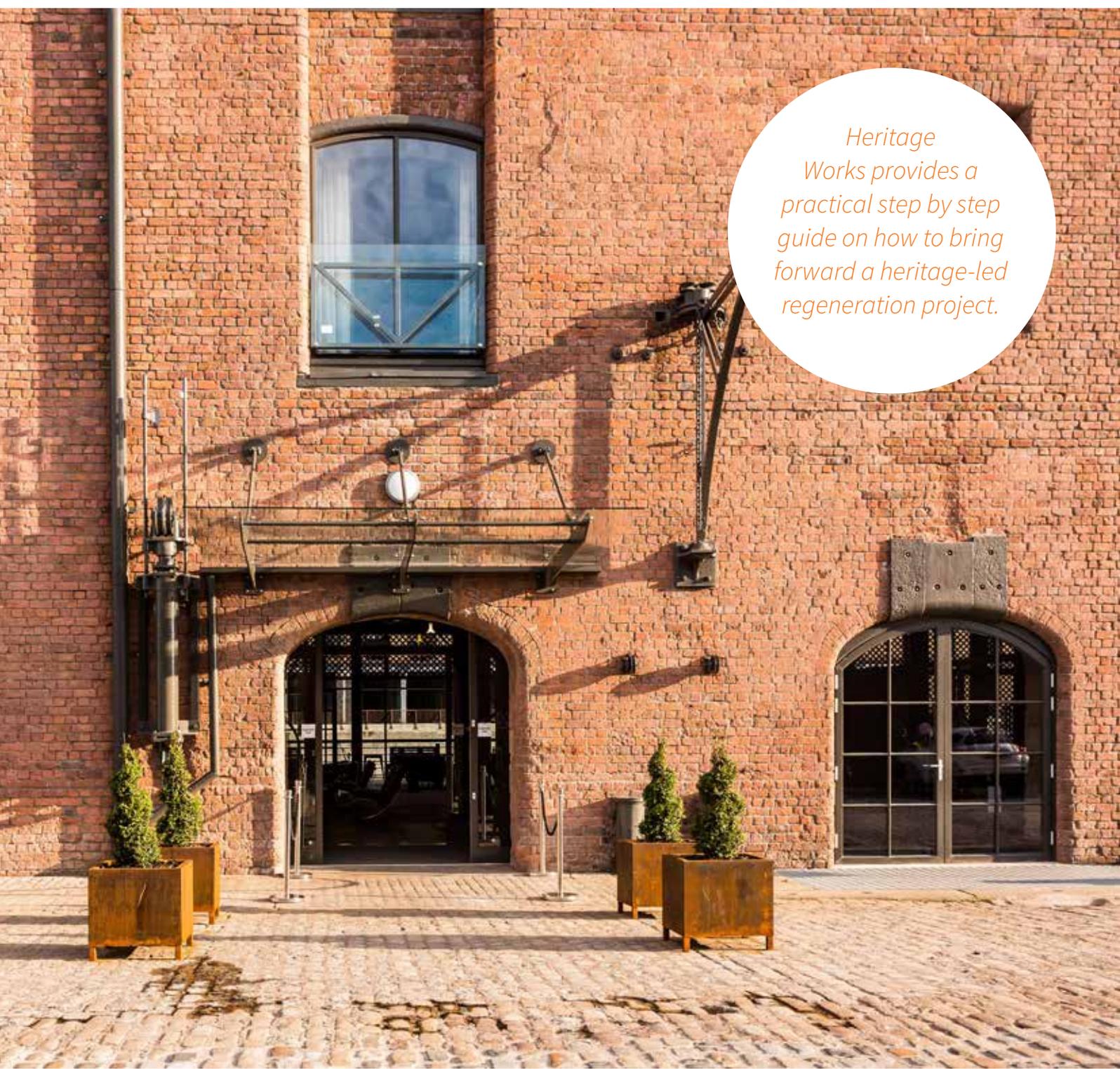
Melanie Leech
Chief Executive,
BPF

Duncan Wilson
Chief Executive,
Historic England

Sean Tompkins
Chief Executive Officer,
RICS



Titanic Hotel, Stanley
Dock, Liverpool



*Heritage
Works provides a
practical step by step
guide on how to bring
forward a heritage-led
regeneration project.*

Context

1.1 What are heritage assets?

A 'heritage asset' is shorthand for any component of our historic environment. It is defined in the National Planning Policy Framework (NPPF)¹, the Government's planning policy statement, 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".

The term heritage asset includes designated heritage assets, such as statutory listed buildings, conservation areas, world heritage sites, scheduled ancient monuments, registered parks and gardens and battlefields, as well as non-designated assets identified by the relevant local planning authority (including local listing).

There are estimated to be some 376,500 listed buildings on the National Heritage List for England². Many are in use and well-maintained. The refurbishment and reuse of historic buildings offers an important opportunity to help retain local character and distinctiveness in the development process.

Nevertheless, once listed buildings fall out of use, and especially if they are in a poor condition, they can be considered as an 'expensive problem'. For developers, they can be seen as a constraint on the redevelopment potential of a site, an element that can add risk, cost and uncertainty to the development process as well as the potential for more protracted discussions with the local planning authority and Historic England. These buildings and sites can also result in increased building and maintenance costs and so paying the right price for the site in the first place is extremely important. On the other side of the coin, for the local planning authority, conserving the building and bringing it back into use is an important policy objective that has to be at the heart of its consideration of any development proposal.

However, even when vacant and in poor condition, listed buildings, and all other forms of our built heritage, remain 'assets' with the ability to truly enrich our experience of

our environment through their physical qualities and/or their historic or community associations. The challenge for both developers/owners and those responding to development proposals (the local planning authority and Historic England) is to see beyond the immediate constraints and to work together proactively, using flexibility, vision and innovation to find a solution where 'heritage works' for the owner, occupiers, community and environment at large.

Historic England has worked hard to remove the common misconception that listed buildings must be 'preserved' effectively just as they are. This is not the case. The goal is positive 'conservation' and managing change rather than 'preservation'. This approach will allow a listed building to change and adapt to new uses and circumstances in a way that keeps its heritage value intact.

In short, the listed building consent regime does not prohibit any change, rather it establishes criteria against which 'acceptable change' can be assessed. Therefore, fully understanding the heritage interest and significance of a listed building, or other heritage asset, is vital to bringing forward a successful scheme and should be the starting point for any project.

1.2 Heritage and regeneration

For the reasons discussed above, heritage assets can sometimes be perceived as an obstacle to regeneration. There are examples of comprehensive regeneration schemes which have swept away heritage assets in the name of efficiency, cost, viability and meeting occupier requirements.

Yet heritage is what people value. Heritage assets matter to communities and may form part of their identity. Historic buildings also play a key part in enriching the fabric of our townscapes and landscapes and the community's experience of them, while the group value of collections of historic buildings also has an important role in creating a sense of place and destination.

So our built heritage represents a huge potential opportunity which can add architectural and/or historical character, distinctiveness and local colour to a wider new development.

The key is to find the optimum viable use for the heritage asset, which can be accommodated without impacting its conservation value, and which is viable in the context of the wider scheme. This is discussed further in Chapter 2, The Economic Case.

A final point to make is that there is a cost to not endeavouring to successfully integrate heritage assets into area-based regeneration schemes and simply putting them to one side as 'too difficult'. A heritage asset that does not receive sufficient care and maintenance can quickly fall into disrepair. This can lower the overall environmental quality of the area and counteract the positive effects of wider regeneration initiatives that are taking place.

Derby: City centre partnership scheme

This area-based partnership scheme was first featured in the second version of Heritage Works. Now running for over nine years, it has successfully reversed a spiral of decline in the historic centre (a conservation area at risk), combatted pressure from large new edge of centre shopping centres and addressed the downturn in the high street. The project has involved the renovation and authentic restoration of historic shop premises using local tradesmen to carry out the work. The project (which involved 106 properties) benefited from around £844,000 of Historic England funding, matched by Derby City Council on works to the value of £2,886,648.

The scheme has dramatically increased the number of occupied retail units in the town centre, increased footfall, number of customers, employment and sales. It has been complemented by city centre public realm works to improve the streetscape. Around 2,700 sq m of commercial floorspace has been brought back into use, 42 new jobs created and a further 166 jobs safeguarded.

“The opening of new malls on the edge of Derby raised the bar in terms of shop presentation, exposing the tiredness of the city centre Conservation Area which is rich in heritage. Without the scheme, large areas of the city centre would now lie barren. With the scheme, the converse is true – as shops have been improved, they have been let. Three years ago some 60 plus small shops were vacant, today, maybe less than 20, contrary to the national trend”

— Trevor Raybould, Raybould & Sons estate agents, Derby



1.3 Heritage and sustainability

Heritage assets are a key component of sustainable development. Such buildings are a crucial dimension to our sense of place and history that can reflect the aspirations and innovation of our own time. Replacing a building also demands a considerable investment of energy. The reuse of heritage buildings safeguards the embodied carbon emitted during the production of the materials used in those assets. Further energy would also be expended during its demolition, disposal of waste materials and in the manufacturing and transport of new materials for the replacement building. In short, a new building would have to be extremely energy-efficient to balance this equation over normal pay-back periods. This is one reason why reuse of existing buildings is often prioritised wherever possible in the built environment.

Many energy conservation improvements can be carried out to older buildings, often at a relatively low cost, significantly enhancing the comfort of the building for its users as well as providing savings on fuel bills. Such improvements can also help in meeting the government's carbon reduction targets.

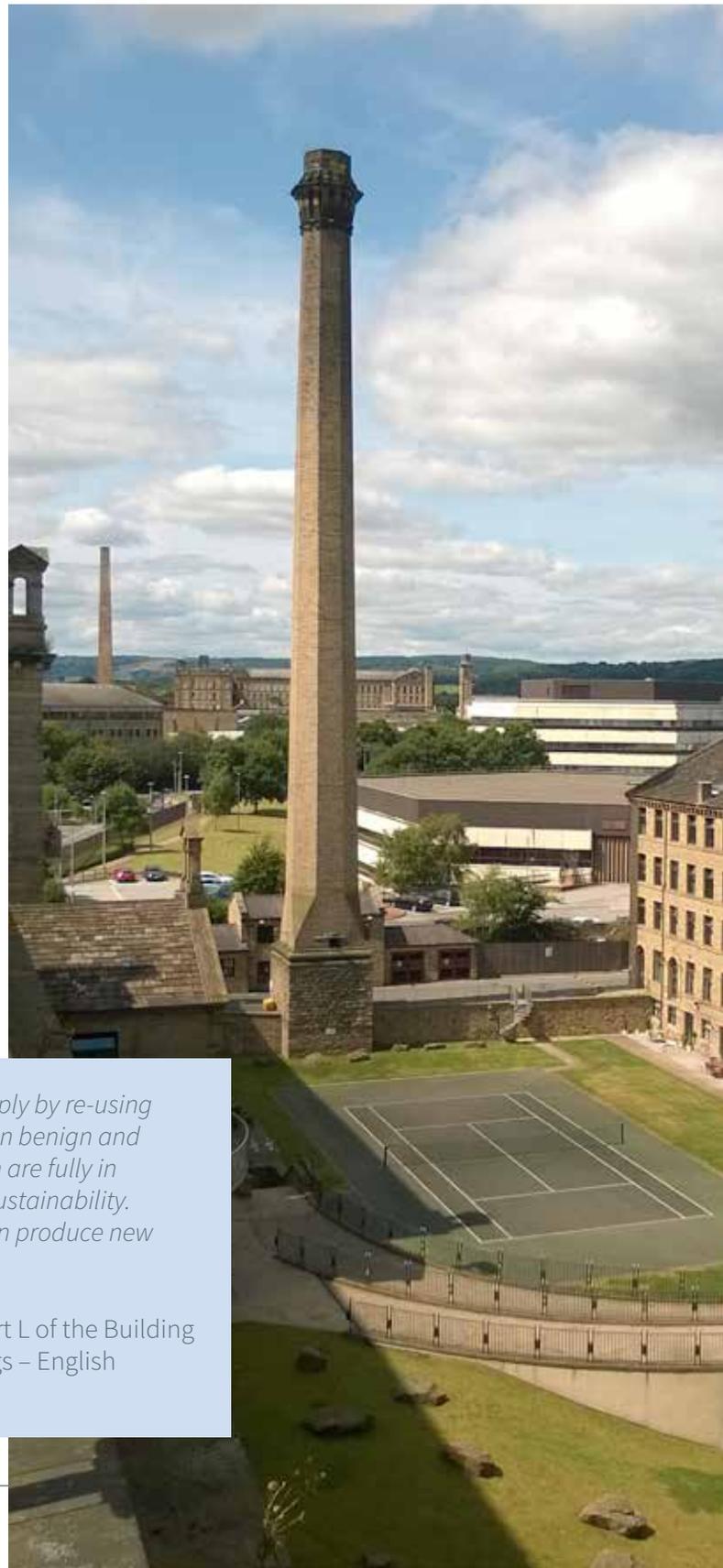
However, reducing carbon emissions from buildings is not just about insulating the building fabric. Much can be achieved by changing behaviour, avoiding waste, using energy efficient controls and managing the building to its optimum performance, all of which is as relevant to older buildings as new ones.

For further guidance please see Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to historic and traditionally constructed buildings – Historic England³ and Planning Responsible Retrofit of Traditional Buildings by Sustainable Traditional Buildings Alliance⁴.

“The retention of older buildings, either in their entirety, or simply by re-using components in-situ and allowing for their thermal upgrading in benign and sympathetic ways, can provide excellent finished results which are fully in accordance with the principles of building conservation and sustainability. In many cases, the process of careful adaptation and reuse can produce new buildings and spaces of the highest architectural quality.”

— Energy Efficiency and Historic Buildings: Application of Part L of the Building Regulations to historic and traditionally constructed buildings – English Heritage (now Historic England) March 2011

Victoria Mills, Shipley



The economic case



There is a strong economic case for regenerating historic buildings.

The benefits relate not only to the individual building, but also to the wider area and community. The impact of successful schemes can be felt beyond the boundaries of the heritage asset itself and can boost the economy of the whole town or city.

Taking a run down area as the starting point, the following questions should be asked: what steps can be taken to reverse physical, social or economic decline? What are the reasons for doing so? In any event, what do we mean by a successful urban environment? And how can we measure the impacts?

Looking at the examples around us, the key for successful urban environments appears to be:

- shared spaces rather than roads;
- a mix of uses and a variety of building styles;
- absence of traffic and/or reduced traffic speeds;
- public spaces, animated by people;
- well maintained buildings and streetscapes;
- of a scale and massing that people can relate to;
- interesting design features or detailing;
- safety; and
- genuine, as opposed to contrived, activity.

Individual buildings can be less important than the overall ambience of the area. In other words, the whole public realm can be greater than the sum of the parts. But, so often, modern urban landscapes fail to provide any of the above ingredients. They can be mono-cultural and lifeless.

Conversely, areas with historic buildings, which individually may not be of particular architectural or historic merit, can provide just the sort of environment that can form the basis of sustained urban regeneration. People gravitate to these places because they provide:

- a variety of spaces, building types, sizes and uses;
- interesting architectural features;
- architectural beauty and local character;
- associations with the past;
- human scale buildings and streetscapes;
- richness and warmth of design;
- physical manifestation of a city's reinvention; and
- social interaction, a sense of place and quality of life.

Such enthusiasm for historic urban cores and heritage assets can translate into higher values – not just financial value, but economic and social value as well.

2.1 Value of historic buildings

“The historic environment is intrinsically linked to economic activity, with a large number of economic activities occurring within it, dependent on it or attracted to it. Bespoke studies have attempted to unravel the complex relationships and interdependencies between heritage and economic activity to understand and estimate the value added of heritage.” — Heritage Counts 2016⁵

Different forms of revitalisation are needed for different heritage assets, but underpinning them all is the aim to create an economic use that creates sufficient value to cover refurbishment and conversion costs, provide a return to the owner or developer and provide enough income to pay for maintenance and repair.

2.2 Market value

Market value is straight forward to measure by looking at the level of rent or capital value.

Residential values – There is evidence⁶ to suggest that historic buildings in residential use (whether built originally for residential or industrial purposes) can command higher prices than new build. Furthermore, prices of modern apartments and houses can be enhanced by being in a neighbourhood of historic buildings.

Commercial values – Shop rents can be just as high in historic town centre units as in modern retail areas, although size of units can be an issue for multiple retailers. Rents for refurbished or converted historic offices tend to be lower than their newly built counterparts in the same area, but higher than certain post war buildings from the 1960s to 1980s.

“Overall businesses based in historic buildings contributed over £47bn in GVA in 2011. This is 3.5% of the UK total GVA” — Heritage Lottery Fund 2013⁷

The assessment of ‘market value’ is best established through a competent and impartial valuation carried out by an RICS registered valuer. Valuers have access to the latest data and are experts in their fields, providing clear reports based on diligent investigations, market commentary and analysis. This will include knowing about the impact on the value of heritage buildings, the benefits of regeneration schemes and how these are reflected in local property markets.



Victoria Mills, Shipley, Bradford

The Grade II listed Victoria Mills is a former worsted mill, set within 5 acres of land on the buffer of a World Heritage Site. The Mill comprises Old Mill, built in 1873 by Henry Mason, and New Mill, constructed some 15 years later. Cloth production ceased at the site in 1992.

It remained empty until New Mason Properties purchased the derelict site in 2003 and commenced a £70m redevelopment programme to create a total of 449 residential units through a combination of new build and the conversion of the Old and New Mills. The vision was to create a unique designed development for owner occupiers which would stand the test of time using the highest quality palate of materials.

This was achieved through close working with the local authority at officer and member level, and included heritage expertise (via the Bradford Council’s Conservation Officer and Historic England) throughout the design process.

The Victoria Mills project did not receive any grant funding, so the recent recession caused significant challenges. Nevertheless, the developers remained committed to the project, and the skilful combination of new buildings and conversions has proved highly successful commercially in the local property market. Since completion the development has had 99% occupancy.

The site is an excellent example of achieving an optimum balance between conservation and commercial objectives. High quality renovation and new design has created new life for what was a vacant and derelict industrial building.

2.3 Indirect value

This is the value conferred on neighbouring properties, or the wider economic and social value created in an area through inward investment. It is more difficult to quantify but is clearly one of the most easily observed impacts of successful regeneration involving historic buildings.

2.4 Outputs

The wider impacts of regenerating historic buildings in terms of their economic and social value may include:

- improvement to the physical fabric of urban areas;
- improvements in personal safety and the reduction of crime;
- community involvement and sense of ownership;
- employment;
- reversing population decline;
- improvement of image;
- improvement in confidence: a sense of pride;
- indirect inward investment into the wider area; and
- a sustainable use of resources through reuse of past materials and embedded energy.

As well as increases in value, some of these wider impacts can be quantified, such as:

- number of direct and indirect jobs created;
- number of businesses created;
- primary and secondary spend;
- number of buildings or sqm refurbished or taken off Heritage at Risk register;
- number of visitors;
- level of public and private investment levered in; and
- number of residents.

In 2011, Colliers International were commissioned by Historic England to undertake a study looking at ways to encourage investment in heritage assets. The research found that listed buildings can represent a good commercial investment. Further details can be found in the Colliers report⁸.

“People spend more in their local economy after investment in the historic environment – in areas that had received investment in the historic environment, approximately one in five visitors in a survey of 1,000 stated they spent more in an area after investment in the historic environment than they did before. One in four businesses stated that the historic environment investment had directly led to an increase in business turnover”

— AMION and Locum Consulting 2010, from Heritage Counts 2016⁹

2.5 Conclusion

There is a strong economic case for regenerating historic buildings. The benefits relate not only to the individual building, but also to the wider area and community.

Critical to the success of regeneration is finding a viable economic use that can support refurbishment, provide the owner or developer with a reasonable return on their investment and which generates sufficient income to ensure the long-term maintenance of the building fabric and any associated public open spaces.

The inclusion of heritage assets in regeneration schemes provides a focus and catalyst for sustainable change. The impact of successful schemes is felt beyond the boundaries of the heritage asset itself and can boost the economy of the whole area.

Using heritage assets in regeneration

One of the purposes of the Heritage Works study has been to analyse the problems that can beset heritage-based regeneration projects and to develop a set of best practice principles to overcome them.

Heritage assets come in many different shapes and sizes and the way in which they have been used in regeneration projects varies enormously, from large area-based initiatives to single asset projects. While there is no standard project or project approach, there are a number of stages that most development schemes will go through over time as they come to fruition. These can be defined as follows:

- buying your asset;
- project initiation;
- concept development;
- project preparation;
- implementation; and
- occupation and management.

Figure 2 breaks down each phase into a number of more detailed steps or areas of activity. Each stage brings its own issues, problems and pitfalls. The Heritage Works study identifies the issues that can arise at each stage. It considers the common problems and potential solutions and sets out 'best practice' principles that can help to ensure a successful project.

3.1 Buying your asset

Purchasers should make sure they pay the right price for the asset – reflecting full knowledge of the conservation

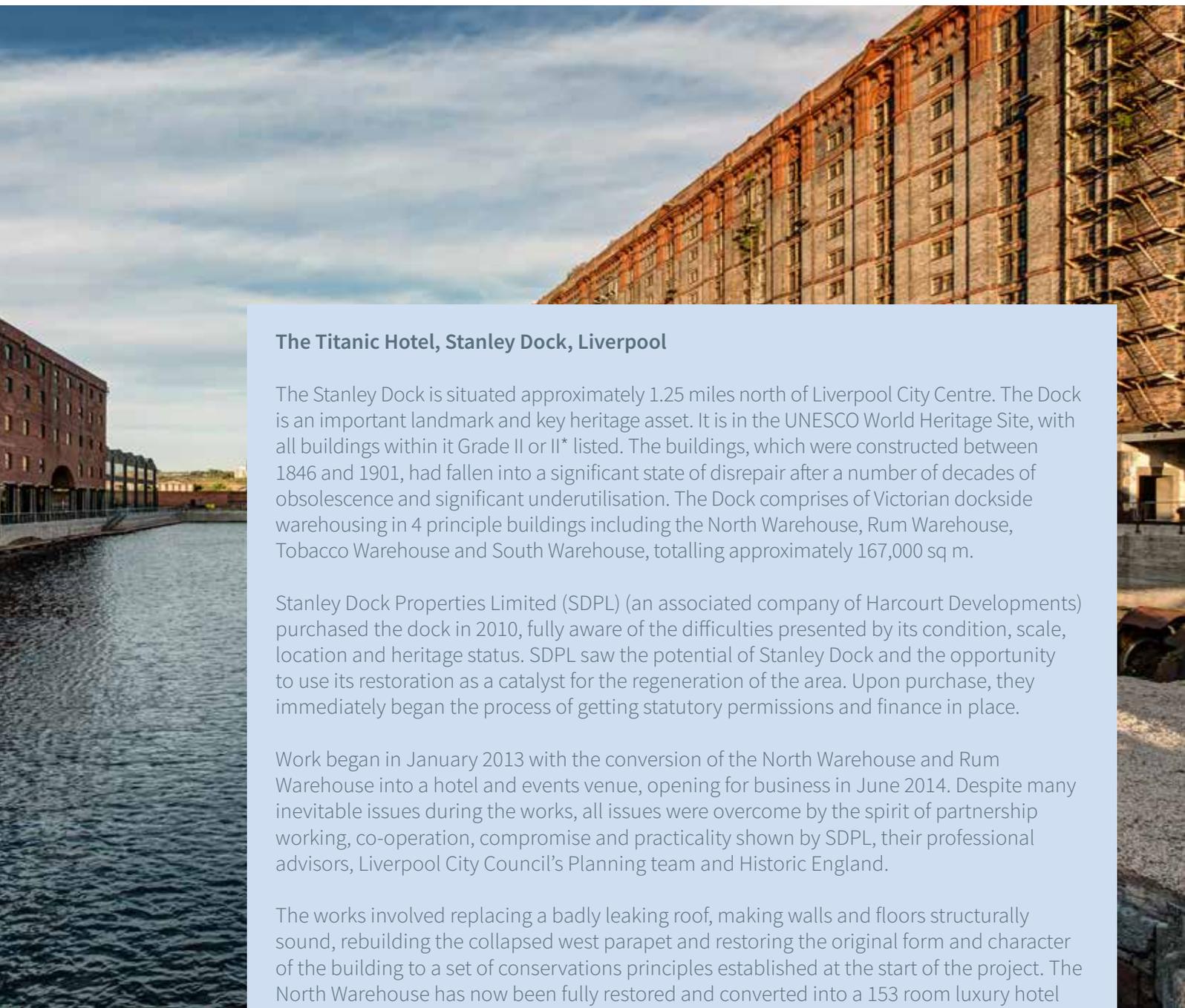


constraints, and realistic repair and other costs. RICS valuers should be engaged to value the asset.

The key to the success of a heritage-based regeneration project is finding the right alternative use or mix of uses for the site. It would be advisable to engage a Royal Town Planning Institute qualified town planner who will be able to test the feasibility of different planning uses against planning policy. It is important that at the earliest stage of the project the preferred uses are tested to assess whether

they are commercially viable and the opportunity is of interest to developers. Central to this process is whether the costs of refurbishment/redevelopment can be met.

At the outset it can be helpful to assemble an informal 'ideas workshop' with a cross-disciplined project team to identify possible concepts for investigation, whilst ensuring the evolution of options for the building(s) are both practical and commercially viable.



The Titanic Hotel, Stanley Dock, Liverpool

The Stanley Dock is situated approximately 1.25 miles north of Liverpool City Centre. The Dock is an important landmark and key heritage asset. It is in the UNESCO World Heritage Site, with all buildings within it Grade II or II* listed. The buildings, which were constructed between 1846 and 1901, had fallen into a significant state of disrepair after a number of decades of obsolescence and significant underutilisation. The Dock comprises of Victorian dockside warehousing in 4 principle buildings including the North Warehouse, Rum Warehouse, Tobacco Warehouse and South Warehouse, totalling approximately 167,000 sq m.

Stanley Dock Properties Limited (SDPL) (an associated company of Harcourt Developments) purchased the dock in 2010, fully aware of the difficulties presented by its condition, scale, location and heritage status. SDPL saw the potential of Stanley Dock and the opportunity to use its restoration as a catalyst for the regeneration of the area. Upon purchase, they immediately began the process of getting statutory permissions and finance in place.

Work began in January 2013 with the conversion of the North Warehouse and Rum Warehouse into a hotel and events venue, opening for business in June 2014. Despite many inevitable issues during the works, all issues were overcome by the spirit of partnership working, co-operation, compromise and practicality shown by SDPL, their professional advisors, Liverpool City Council's Planning team and Historic England.

The works involved replacing a badly leaking roof, making walls and floors structurally sound, rebuilding the collapsed west parapet and restoring the original form and character of the building to a set of conservations principles established at the start of the project. The North Warehouse has now been fully restored and converted into a 153 room luxury hotel with café, bar, restaurant, spa, gym and marina known as The Titanic Hotel. It has won a number awards for its successful completion and regeneration of the Stanley Dock¹⁰. Future planned works include the restoration of the Tobacco Warehouse and South Warehouse.

The conclusions of this process will influence the next steps. If the initial proposals are not viable, the work undertaken can be used to inform exploration of potential for a revised scheme with a different use mix. This is an iterative process to identify a scheme which is viable in business, financial and heritage terms.

3.2 Project initiation

For area-based projects, it is important to create the right partnership of promoters with a strong shared vision, a clear set of objectives and realistic expectations. Whatever scale of project, it is important to ensure that the project team has access to expert professional advice on heritage and regeneration issues from the start

Partnerships may originate in many ways, but typically the different stakeholders will have varying objectives, particularly where they bring together the public and private sectors – ranging from the need to deliver certain socio-economic outputs or conservation benefits, to achieving best value on a site disposal or making a certain percentage commercial return.

To succeed, these objectives must be reconciled and the stakeholders must have realistic expectations, both individually and as a group, otherwise long delays or stalemates in negotiating development agreements and moving the scheme forward are likely to occur.

It is usually advantageous for the partnership structure to include public sector bodies even where these do not have a landownership role:

- The local authority sets the regeneration and planning policy framework for the area into which the project will fit. It will also usually be determining any planning applications. In certain circumstances, the authority may also have access to grant funding and has compulsory purchase powers if required.
- Local Enterprise Partnerships (LEPs) are bodies that bring together the private sector and local authorities across functional economic areas. They can also help with site assembly and funding and can generally assist in facilitating a large area-based project¹¹.
- Historic England produces a range of advice documents relating to heritage and planning, and offers advice on individual planning applications in certain circumstances¹².

There is a wealth of expertise available in the network of dedicated and experienced conservationists working for Building Preservation Trusts, development trusts and other charitable bodies. They have the experience to manage community-based heritage projects and in particular to advise on grant funding opportunities.

Deptford Market Yard, U+I

Deptford Market Yard is a £50 million public private partnership between U+I and the London Borough of Lewisham. It is located on a two acre site next to Deptford Railway Station which includes the Grade II listed Carriage Ramp, originally built in 1836. U+I has transformed the site into a new space for Deptford's community, unlocking the value of the public land and delivering real benefit to the local area. The project won the Best Heritage Led Project at the London Planning Awards in 2017 in recognition of the mixed use regeneration project which kept Deptford's heritage at its heart.

Prior to U+I's involvement the site had been derelict for some time. It contributed little to the sense of place in the town centre, even positively detracting from it. U+I's ambition was to change the community perception of the place before even starting to build; to create a place that enhanced and contributed to the community. To start, the team brought an old railway carriage onto the site on Valentine's Day 2008, turning it into a new café which became a popular social meeting place and a catalyst for activity on the site. Other early activity included cleaning up the railway arches and letting them to local businesses to provide 'meanwhile uses' while the redevelopment was progressed.

Following five years of consultation throughout the 'meanwhile use' strategy and a public consultation event showing the designs for the planning application, permission was granted in March 2012 with the scheme completing in November 2016. Once construction work began in 2014, quarterly residents' evenings were held to keep the local community informed.

Alongside the retail and commercial aspect of the scheme is Tinderbox House and Station House, a colourful, new eight storey apartment building including 132 new homes. The scheme also included

the careful restoration of the historic carriage ramp, London's oldest railway structure which was carried out in close consultation with the Railway Heritage Trust. U+I's commercial strategy involved initially only marketing the units on the construction site hoardings to ensure enquiries for space were from people who had walked past the site; tenancies were given to local start-up companies. These start-ups were also provided with help and support for their legal costs, fit out, conservation and planning compliance, business planning, marketing and PR.

Commenting on U+I's approach to bringing the past into the present, U+I's Deputy Chief Executive Richard Upton says:

"We have noticed time and again that when you look back in history, you find all kinds of things that might be interesting points of reference for your suggestions of change – old churches, breweries, little theatres, alms-houses – places offering a window into what life was like. And glimpsing this locality's history can provide inspiration for the future potential and connection. It can help us to harness the special and unique qualities of a particular place; the fibres of influence over time which have made an area what it is today, and all it could be."



3.3 Concept development

3.3.1 The policy environment

The NPPF sets out the policy context for new development in England. Section 12 of the NPPF gives advice about conserving and enhancing the historic environment within this. In broad terms, it requires applicants for development affecting heritage assets to describe the significance of those assets (including setting) as part of the application process.

Local planning authorities are also required to identify and assess this significance before assessing the impact of the proposal on the heritage asset. Being clear about this process is the starting point for developing how the asset in question will be used and managed in future. See section 4 for further detail on the consents regime for heritage assets.

3.3.2 Understanding the heritage asset – conservation and potential for change

From the outset of a project, understanding the heritage asset and its ability to accommodate change is vitally important – preparing a conservation management plan or conservation statement can help with this

It is important to have a thorough understanding of the nature and significance of the asset concerned, as a whole and in its parts. This is fundamental to any decision about its future use.

Some form of conservation appraisal should therefore be undertaken at the outset of the project concept phase. This piece of work will be invaluable at later stages of the project in terms of securing funding and obtaining planning permission – indeed the NPPF specifies a proportionate approach to such assessment.

It may well also be a pre-requisite if applying for grants from the Heritage Lottery Fund (HLF). The HLF has produced a range of guidance for applicants to its grants programmes¹³.

The following paragraphs detail courses of action that will help with the understanding of the heritage asset and the level of change that may be acceptable, as well as its long-term use and management.

- *Conservation Management Plan* – A Conservation Management Plan (CMP) is a document that helps you look after heritage. It explains why the heritage matters to people and sets out what you can do to look after it in any future use, alteration, development, management or repair. It is different to a business plan as it focuses on heritage management rather than financial management.

A CMP is usually a detailed document, which includes a management agreement and maintenance plan, prepared by a specialist after consulting different stakeholders.

- *Conservation Statement* – A Conservation Statement is a shorter and less detailed version of a CMP. It is often prepared by the owner/developer on the basis of existing knowledge. The Conservation Statement should detail how the heritage asset will be cared for once the project has ended. It should include an understanding of the heritage and an explanation of what is important about it as part of a Statement of Significance.

A key difference between the two is that the CMP is a consensus document that all stakeholders have contributed to. They may not agree on the heritage sensitivities of the site but the level of agreement or disagreement can be set out in the CMP. It is also a 'living' document that can continue to evolve through the life of the asset.

- *Understanding the regeneration and planning context* – It is important to seek to establish an appropriate planning policy framework for the project – reflecting both regeneration and heritage objectives.

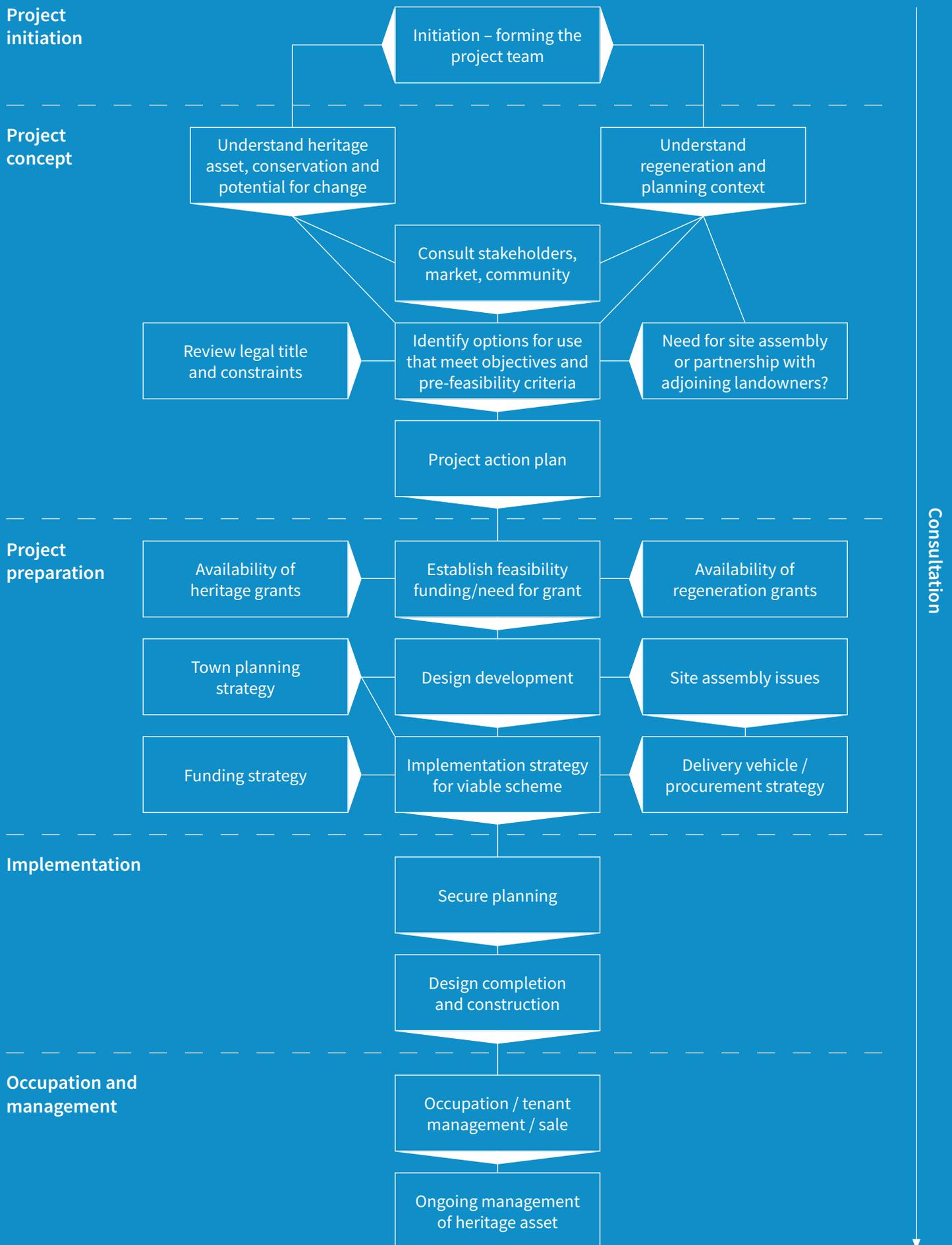
The project may be the first stage in the regeneration of an area and hence will be coming forward in a void of related activity and without a regeneration-based policy framework. In this case it will be important for the local planning authority to incorporate up to date proposals in its development plan for heritage based-regeneration, or for the landowner to seek to promote this through the local plan review process.

Alternatively, there may already be a range of regeneration initiatives in the surrounding area and a well-developed regeneration policy framework. It is important to research and understand the work and projects that other organisations are undertaking or promoting so that possible synergies can be developed.

It is also important to understand at the outset whether the site is covered by any planning policies that would affect the type or range of uses that will be acceptable. Planning policies are set out in the statutory Development Plan for the Local Authority area. At present this is called the Local Plan, and also includes any Neighbourhood Plans that have been made.

The Local Plan and proposals map sets out a vision and framework for the future development of the area. It should make it clear what is intended to happen in the area over the life of the plan, this can be done by setting broad location and specific allocations of land for different purposes, through designations and through criteria based policies that should be taken into account when considering development. Please see additional guidance on Local Plans and Neighbourhood Plans contained in the national planning practice guidance¹⁴.

Figure 2 – Approach to heritage-led regeneration



3.3.3 Consultation

It is important that key stakeholders and decision makers are identified, briefed and kept informed at all stages of the project. Hence the 'consultation arrow' continues throughout the development process shown in Figure 2. Investing time in thorough and effective consultation early on will save time later by establishing a good initial understanding of the project objectives. Early consultation can help to gather support for the project, to quell any concerns or potential objections, and open up opportunities for others to become involved.

Consultation with the community is also an important and integral part of the town planning process. Ideally it should occur both pre and post the submission of the planning application, particularly on larger schemes that will raise issues of significance for the local neighbourhood or wider area. In particular, if the aspirations for a project are generally known, this in itself can attract interest from market sectors that may not have been considered by the project sponsor/developer/landowner.

The consultation programme might include all or some of the following:

- local planning authority and Historic England;
- LEPs;
- amenity societies (e.g. Society for the Protection of Ancient Buildings, Georgian Group, Victorian Society and the Twentieth Century Society); and
- local businesses, residents or community and neighbourhood groups.

In preparing to approach each body, it is important to consider what are its objectives for the area and how the project complements these.

3.3.4 Ownership and site assembly

Where a site is not in single ownership, site assembly may be required. As a matter of best practice the pre-feasibility studies should establish whether the scheme can bear the costs of land assembly. Where compulsory purchase is needed, ensure that an appropriate planning and economic policy context is in place.

The delivery of schemes where land is in multiple ownership is complex. Where site assembly cannot be negotiated by agreement, compulsory purchase may need to be considered. Local authorities and LEPs can unlock development potential through the use of compulsory purchase powers to assist with land assembly.

3.3.5 Legal title and constraints

A due diligence process should be adopted to ensure that there are no title issues or covenants restricting the ability to use the site in the manner proposed.

3.3.6 Project action plan

The concept phase should culminate with the production of a robust project action plan setting out clearly the project objectives, proposed outputs, future actions, programme and other consents required. At this stage it is important to identify the full range of professional support and advisers that will be needed to take the project forward.

Flat Iron Square, London Borough of Southwark

Owned by Network Rail, Devonshire House is a Grade II listed building located in the Union Street conservation area in the London Borough of Southwark. The building was in a dilapidated state and 'at risk' for a number of years. Economically difficult to demonstrate a viable business case for its restoration in isolation, Network Rail's proposal sought to link Devonshire House to the adjacent railway arch premises to deliver a commercially viable solution.

The project will deliver a new cultural offer including a live music venue and eating and drinking venues. The scheme encourages pedestrian permeability by opening the site all day to encourage free movement for pedestrians. The site is also connected to the north by 'The Low Line' a walking route through Southwark that takes in the many railway viaducts in the area.

The project programme has taken over three years to complete under two phases, the first to protect and ensure the structural stability of the Listed Building and the second to complete the full refurbishment in strict accordance with the listed building consent.

The restoration of Devonshire House will underpin the wider Flat Iron Square Project. As a focal point along The Low Line, it is anticipated that Devonshire House will be the centre piece within Flat Iron Square that will stimulate the proliferation of new ventures here and within the wider Conservation Area.

3.4 Project preparation

3.4.1 Funding strategy

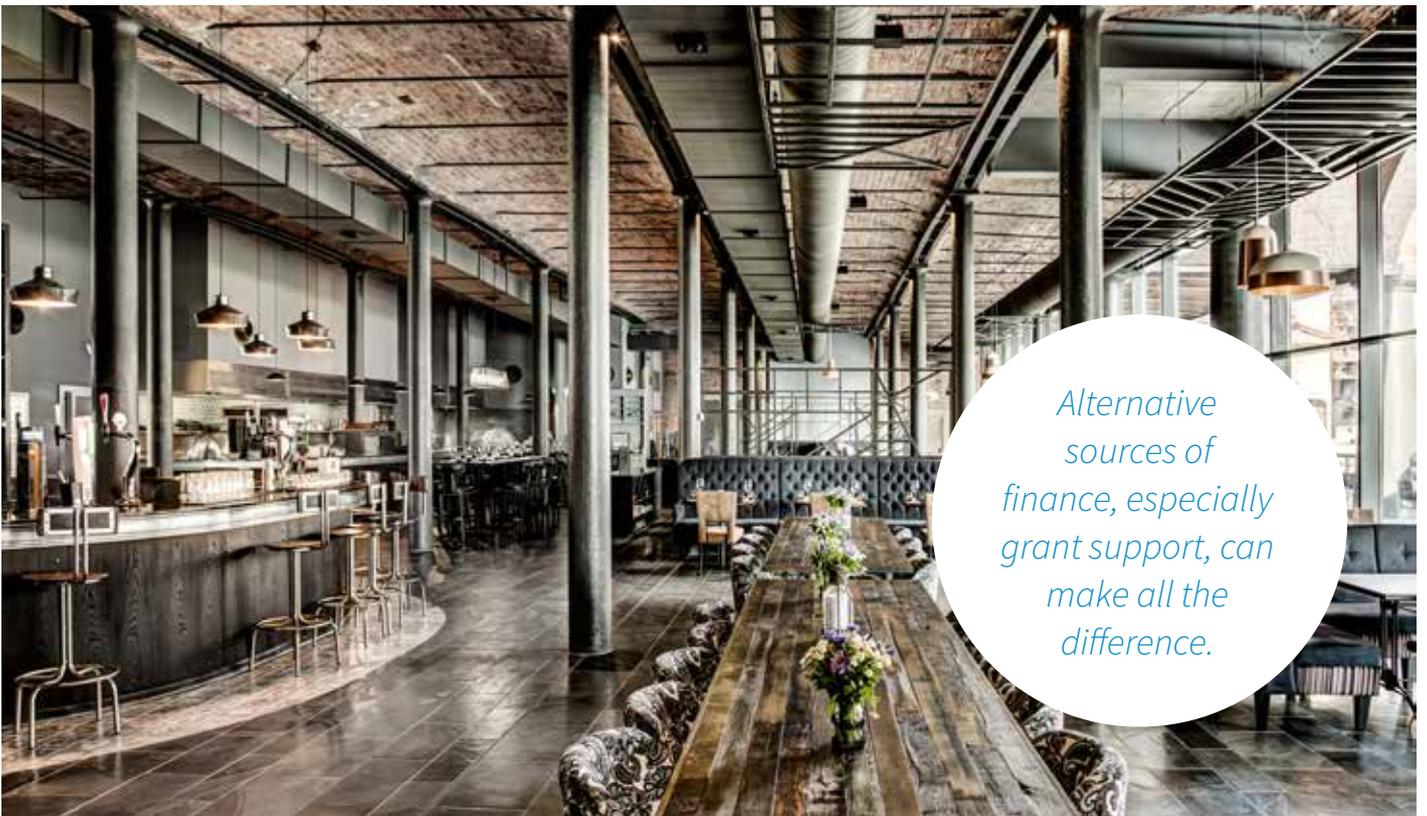
Whilst refurbishment and adaptation of heritage buildings can be cheaper than new build, this work nonetheless may impose cost burdens on the owner or developer that are hard to finance and which may present a level of risk. It is quite common for heritage assets to be restored using 'funding cocktails'. Alternative sources of finance, especially grant support, can make all the difference in enabling such challenges to be overcome. These sources include:

- special low interest loans;
- application of revolving funds;
- lottery funding;
- local authority funding;
- central government funding;
- grants from independent grant making trusts;
- corporate or individual donations; and
- crowdfunding.

Sources of funding are subject to constant evolution – the eligibility rules, conditions of finance, output requirements, amount and availability of funds all change over time. Therefore it is important to consult the appropriate bodies directly for up-to-date information. Where a cocktail of funding is necessary to ensure viability of a project then it will be important to carefully prepare a fund-raising strategy and establish a clear and realistic programme of when different funding components may be secured.

Another aspect to consider is the need to provide information about the project in considerably different forms depending on the source of funding. Having offered funding, many funders impose formal monitoring arrangements on the recipient so this can create extra work and a variety of information and reporting needs at different points in the project. Preparation of a formal stakeholder management plan setting out who needs what kind of information and when can be very helpful in this regard.

Titanic Hotel, Stanley Dock,
Liverpool



Alternative sources of finance, especially grant support, can make all the difference.

3.4.2 Community Infrastructure Levy

The Community Infrastructure Levy (CIL) is a charge that came into force on 6 April 2010 through the Community Infrastructure Levy Regulations 2010. It is a levy that local authorities can choose to charge on new developments in their area. The money raised by the levy is used to support development by funding infrastructure identified by the Council, local community and neighbourhoods. Development may be liable for a charge under CIL if your local planning authority has chosen to set a charge in its area.

This charge should be factored in to the cost of a project from the outset. If the development is liable, the charge is non-negotiable unless the development qualifies for an exemption.

Under the CIL Regulations, exemptions can be permitted for charities subject to certain criteria. Repair of heritage assets that in some way provides local infrastructure may be eligible for CIL monies. This information on CIL was correct at the date of publication but has the potential to change as Government is due to respond to an independent review in the 2017 Autumn Budget. Contact your local council or see the national planning policy guidance¹⁵ for further information.

3.4.3 Value Added Tax

There are a number of tax breaks that can benefit owners of heritage assets to assist with their conservation. The conditions and qualifications are a matter of some complexity and specialist advice should be sought by anyone who believes they may qualify for relief. Further guidance can be found on the Historic England website¹⁶.

3.4.4 Town planning strategy

In order to identify and manage risks in this area it is important to have a thorough understanding of any planning issues that the proposed scheme may give rise to and the planning process that the project will have to negotiate. Issues to consider include:

- the status of the heritage asset(s) included within the scheme;
- the consents regime that the project will need to comply with – including the need for planning permission and listed building consent;
- the planning policy framework within which alterations to the building fabric and any new uses that are proposed will be assessed at both a local and national level;



- the process by which the decision to grant the relevant consents will be made – who are the decision makers and who will be consulted?;
- the acceptability of enabling development if this is needed to support a scheme; and
- the material and information needed to form the planning application and any supporting material

Whether or not a project will be granted the required consents will depend on how it meets heritage and other planning policy objectives. In considering a proposal involving a listed building, a local authority must have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it possesses.

Additionally, an authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the area when considering an application in a conservation area¹⁷.

As indicated earlier, the NPPF sets out the requirements for an applicant to, as a minimum, describe the significance of any heritage assets affected by a proposal. Additionally, if a conservation management plan or conservation statement has been prepared, this will help provide the basis for a thorough understanding of



The Boilershop, Stephenson Works, Newcastle Upon Tyne

Dating back to the 1860s, the Boilershop was a focal part of the Robert Stephenson and Co engineering firm and with it the globally significant development of the railway locomotive and its commercial production. The Grade II* Listed Boilershop itself also remains a significant piece of pioneering Victorian industry.

Saved from dereliction by a first phase of conservation work undertaken in the 1990's and 2000's by the Robert Stephenson Trust, the building transferred to its current owners as part of a significant, phased development project – the Stephenson Quarter.

Suitable parts of the building were let to small arts and creative businesses as office space, while elsewhere exhibitions and cultural events were held. From 2013 onwards the owners focused on harnessing the growing interest in food and drink by holding a series of 'pop up' events in the space. Within a year these were attracting up to 4,000 people on a monthly basis.

This success provided the impetus to undertake a full refurbishment project. The brief was to turn the Boilershop and 20 South Street into a new event space with supporting ancillary and office space.

In order to function properly as an events venue the building required the addition of key facilities such as catering, sound and staging. The design strategy was to conserve the existing fabric which gives the building its 'texture' and engages visitors while at the same time making simple, contemporary design interventions to create the new facilities. Bold sculptural elements which are comfortable in the large volume of such an industrial space were included, such as the new steel spiral stair and ventilation ductwork.

The project has successfully addressed the challenges involved in creating a building that retains its Victorian industrial character while also providing contemporary facilities and levels of comfort, for example with regard to thermal and acoustic performance.

The Boilershop opened for business in late 2016 playing host to a wide range of events with audiences of up to 1,000 people at any one time. From what was initially a short term use, a successful and sustainable long-term business has been created within an important survivor of our Victorian industrial heritage.

heritage policy objectives and can form the basis of pre-application discussions with the local planning authority and Historic England. This is useful to establish common ground on the significant features of the building and the scope for change.

Guidance on the approach that is taken by the decision makers in assessing proposals for change to listed buildings is set out in the NPPF¹⁸ and guidance¹⁹.

Historic England produces advice on a wide range of issues relating to updating, refurbishing and reusing historic buildings in development projects. This includes understanding the significance of heritage assets, considerations in making changes to them and the issues to be taken into account in making decisions on planning applications for them.

Further details can be found in section 5 of this document and on the Historic England website²⁰. Clearly, a balanced approach needs to be taken in weighing up any negative impact on the integrity of the listed building against the need to secure the long-term future of the building and the wider regenerative impacts of the proposed scheme. In identifying the optimum outcome, all parties must be prepared to be flexible and to think imaginatively about solutions for the building.

3.4.5 Design development

Repair and development of heritage buildings requires sensitivity in relation to the historic fabric and previous uses of the building. It also requires careful engagement with a variety of statutory/regulatory bodies and amenity societies. A successful outcome should result, providing:

- suitable uses are proposed for the building, taking into account the practicality of physically adapting the building to achieve those uses;
- appropriately qualified and experienced consultants and contractors are employed; and
- adequate time is allowed for planning the project, investigation of the existing building, design, securing statutory approvals and for building works.

A point that needs to be borne in mind when considering the approach to a project and consultation with the local planning authority, is the range of expertise and experience in heritage-led regeneration between Councils. This can affect the project timescale, as the consultation process may take longer to complete where there is less experience available. A Planning Performance Agreement (PPA) can be developed between the Council and the applicant to provide a programme and framework for working together. A PPA, while adding a cost to a project, can reduce risk associated with programme and consultation.

Surveys and design studies can help to ensure the building is capable of being adapted for the proposed use and that repair implications are not worse than anticipated. It is important to be aware of the difficulties sometimes encountered in meeting modern building and fire regulations requirements, especially if extending the building or changing its use, and to understand the possible challenges of reconciling these needs with planning and listed building consent requirements.

3.4.6 Delivery vehicle

Whether a project is being delivered by the public sector, private sector or in a partnership approach, the key issue is to establish an appropriate balance between

cost and risk transfer. Regard should also be given to the level of control required to be kept over the detail of the project, and the ways in which the benefits arising from the project are to be shared (i.e. capital receipts, revenue income, use of building, wider economic, social or community benefits).

Current Government guidance for the public sector and publicly funded bodies may influence the choice of procurement route, especially if significant public sector or lottery funding is involved. For certain types of heritage-based regeneration project the establishment of a charitable trust or another type of not for profit organisation may be appropriate. Building Preservation Trusts (BPTs) are charities whose objectives include the preservation of historic buildings for the benefit of the public. The buildings they preserve must be of architectural or historical interest and are usually suffering from neglect or redundancy to the point that market solutions cannot be found. There are almost 300 BPTs in the UK.

Recent changes have meant that other types of not-for-profit organisation, such as community interest companies, providence societies and community benefit groups may be an appropriate structure for taking forward renovation and reuse projects. Information on setting up this type of body is provided by the Architectural Heritage Fund²¹ and the Heritage Trust Network²².

3.4.7 Implementation strategy

An implementation strategy should be formulated which will be project specific and based on the following key considerations:

- viability in business, financial and heritage terms;
- a clear land assembly strategy if needed;
- creation of a development vehicle or procurement strategy to carry a proposal forward;
- a clear public and/or private sector funding strategy; and
- a robust town planning strategy.

3.5 Implementation

3.5.1 Secure planning

The work undertaken in the concept development and preparation stages will provide a robust basis for the town planning submission. A thorough planning submission in line with the various requirements of the NPPF which addresses the full range of conservation, regeneration and other relevant planning issues will minimise the time taken to achieve consent.

In particular, it is important to provide a clear, reasoned justification for the proposed works, explaining why they are needed and why they are desirable in the context of listed building legislation and planning policy objectives (see section 4).

3.5.2 Complete design and undertake building works

The design may be completed by the designers appointed for feasibility and the initial design stages, or some or all aspects of design may be completed by others (whether designers, developers, craftspeople or contractors, according to the scale of the project and the procurement/delivery route).

It is advisable to select specialist designers and contractors, familiar with working with sensitive heritage assets, to avoid poor quality outcomes that can add risk, cost and delays to a project.

3.6 Occupation and management

3.6.1 Occupation

The key to successful sustainable regeneration is occupation; finding a long term viable use of the asset. The best use for a building will often be the use for which it was originally designed and the continuation or reinstatement of that use may be the first option when the future of a building is considered. However, this is not always possible to achieve because not all original uses are now viable or necessarily appropriate. The following points should be considered:

- ensure use is demand-led (with a consciousness of what is appropriate to a heritage building), rather than purely heritage driven – residential, retail, leisure, hotel, educational, cultural, workshop, community, office and storage uses are all components of successful reuse in heritage case studies;

- bear in mind that access and circulation may restrict use to one type of occupier or require greater complexities of management if there are multiple occupiers;
- be aware that heritage buildings may provide space which is less flexible or adaptable and may limit some types of use;
- appreciate the positive encouragement to certain uses which may be afforded by the particular architectural character and details of the building;
- be creative – approach a wide range of local/regional/national users or developers;
- be realistic in development appraisals about net to gross ratios – these can be poor compared to new buildings and rental income estimates should reflect this;
- be aware of charging ‘commercial’ rents but also of the potential for granting space to charitable or community users for less than market rents;
- do not underestimate maintenance and running costs – these may well be higher than for comparable modern buildings; and
- understand that some heritage buildings will not have the same flexibility as a modern building which may not suit possible user or tenant demand for change or churn.

3.6.2 Management

Every heritage asset needs to be maintained. Where a CMP approach has been adopted, this document will have laid the groundwork for the day-to-day maintenance and management of the heritage asset in terms of setting out principles or policies for future conservation. If more regular works are often needed that may require listed building consent, the owner may wish to agree a Heritage Partnership Agreement (HPA) with the local planning authority to secure an overarching consent for regular listed building works.

Where a CMP or HPA do not exist it is good practice to establish an active management policy, particularly as this will assist in providing a clear understanding of the ongoing costs associated with maintaining the asset.

Consents regime for heritage assets



A complete guide to England's heritage protection system can be found at Historic England's website²³.

4.1 The NPPF

As explained earlier, Government policy on the historic environment is provided in the NPPF and associated guidance. At the heart of the NPPF is a presumption in favour of sustainable development. Sustainable development is about positive growth and change for the better. In terms of our heritage – buildings, landscapes, towns and villages – this means taking opportunities to achieve this growth while also conserving and enhancing the historic environment.

The NPPF directs that applications that accord with the development plan should be approved. Where a development plan is out of date, absent or silent, permission should be granted unless any adverse impacts would significantly outweigh the benefits when assessed against the policies in the NPPF, or where specific policies in the NPPF indicate development should be restricted, including policies for designated heritage assets.

Applicants for listed building consent will be required to describe the significance of any heritage asset affected by proposals. The level of detail should be proportionate to the asset's importance. As a minimum the relevant historic environment record should be consulted and the heritage asset assessed using appropriate expertise where necessary.

The NPPF sets out that, when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Further guidance on justifying the total loss of significance, substantial harm and less than substantial harm to designated heritage assets is provided in the NPPF.

4.2 Listed buildings

4.2.1 What does 'listing' mean?

A listed building is a building or structure included on the statutory list of buildings of special architectural or historic interest, compiled by the Government on the advice of Historic England. Buildings are listed for their architectural or historic merit.

Local authorities sometimes compile lists of buildings of local interest. These are commonly referred to as 'local lists' or undesignated heritage assets. These have no statutory significance and do not give rise to any additional consent requirements, although the NPPF makes clear that the effect of an application on non-designated assets should be taken into account in determining it.

4.2.2 Listed building grades

In 2017 there are some 376,500 statutory listed building entries covering an estimated 500,000 individual properties or items. Each building is placed in one of three categories (Grades I, II* or II) to give an indication of its relative importance – with a Grade I listed building being of the greatest significance.

4.2.3 List descriptions

When a building is listed a listing description will be prepared by Historic England. This refers to the principal parts of the building which have led to its listing. The listing description may not contain information on all features of significance. Where there is doubt over the importance of particular features, the advice of the local planning authority should be sought.

Historic Environment Records (HERs) are information services that provide access to comprehensive evidence about the historic environment in a particular area. They are intended to be continually updated to ensure a comprehensive archive of local historic environment data. The National Heritage List for England is Historic England's database which also provides access to information on all nationally designated heritage assets, including listed buildings²⁴.

4.2.4 Extent of listing

The listed building will include the building itself, together with any object, structure and building affixed to it or within its curtilage and which pre-dates July 1948. Further guidance on curtilage can be found on the Historic England website²⁵.

Changes introduced by the Enterprise & Regulatory Reform Act (April 2013) now mean that certain parts of the building or curtilage structures can be legally excluded from the existing listing if they are not of special interest. This means that listed building consent is not required for any works affecting them²⁶, although it should be noted that at present this only applies to a small percentage of list descriptions. If it is considered that parts of a particular building should be excluded from the list description it is possible to make a request to Historic England for an Enhanced Listing description. This is one of the Historic England Enhanced Advisory Services discussed further below. An enhanced listing will result in Historic England reviewing the building in detail and writing a new List description which details the parts of the building of significance.

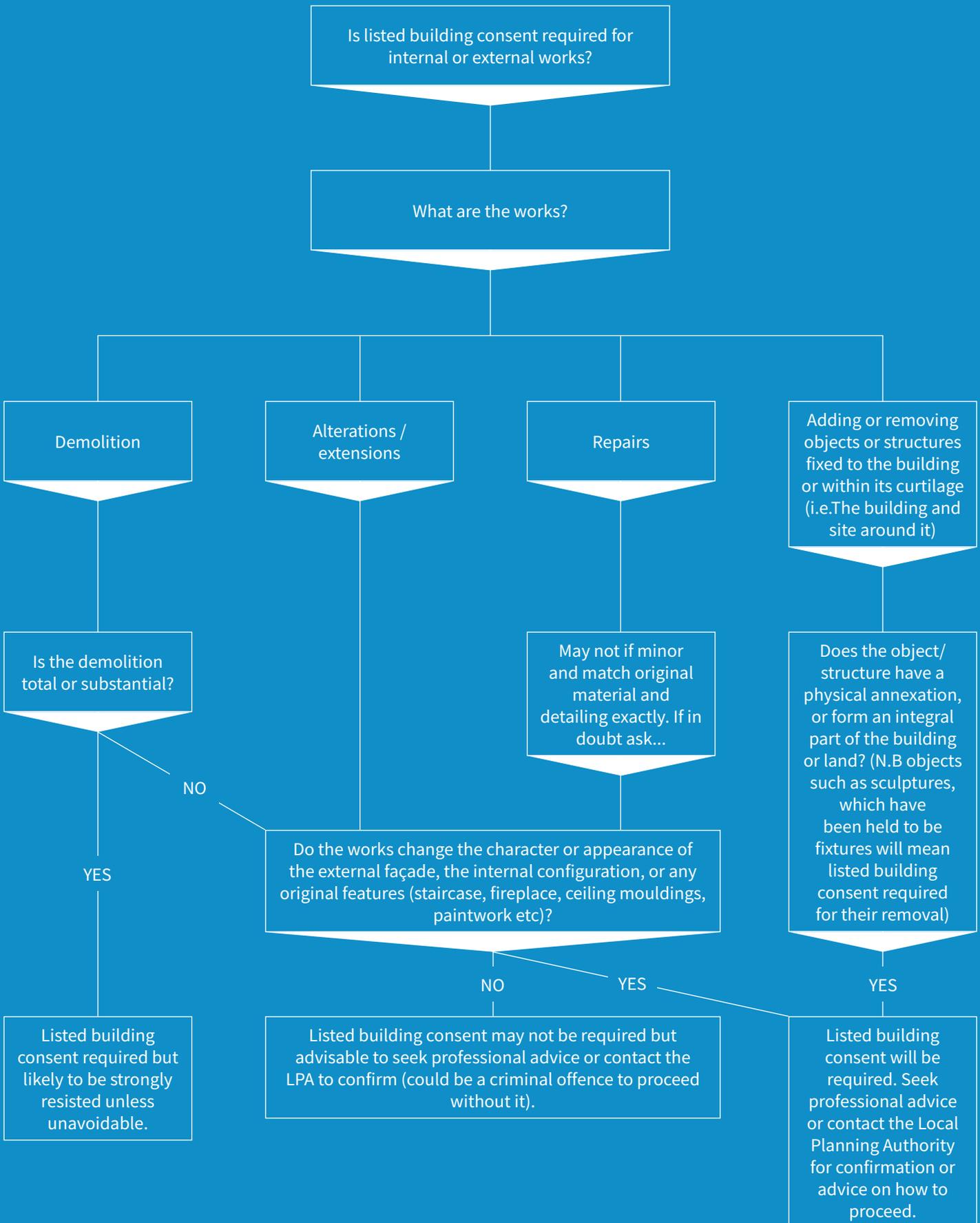
4.2.5 Applications for listed building consent

The primary decision maker on applications for listed building consent is the local planning authority. Planning authorities are required to notify Historic England of listed building applications that:

- affect Grade I and Grade II* listed buildings;
- include works for demolition of a principal Grade II listed building; and
- include works for the alteration of any Grade II listed building including demolition of a principal external wall or substantial part of the interior

In Greater London, Historic England has statutory powers and must be consulted on a wider range of listed building consent applications and planning applications.

Figure 3 – Listed building consent check list



4.2.6 Criteria considered in listed building applications

In addition to the requirements under the 1990 Act set out above, the NPPF specifies that local planning authorities should also take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality and;
- the desirability of new development making a positive contribution to local character and distinctiveness.

4.2.7 Consequences of failing to obtain listed building consent

Carrying out works requiring listed building consent without permission is a criminal offence carrying penalties of substantial fines or prison sentence or both. As an alternative to prosecution local planning authorities can exercise a range of enforcement powers.

4.3 Conservation areas

Decisions on conservation area designation are taken by the relevant local planning authority, and relate to a particular neighbourhood or area. Designations may be shown in Local Plans and proposals maps. Local planning authorities should formulate proposals for the conservation and enhancement of conservation areas through the preparation of Conservation Area Appraisals and management plans.

4.3.1 The effect of designation

As well as the requirements of the 1990 Act indicated above in respect of conservation areas, the NPPF requires that local planning authorities should take into account the desirability of new development making a positive contribution to local character and distinctiveness. Loss of a building which makes a positive contribution to the significance of the conservation area should be treated either as substantial harm or less than substantial harm. Similarly, proposals outside a conservation area, but which would affect its setting, should be considered in these terms. Further advice is given in the NPPF and planning practice guidance.

Local authorities can remove certain permitted development rights in conservation areas by means of an Article 4 Direction to apply to a certain area.

Current Government guidance on Article 4 Directions indicates that local planning authorities should only consider making them where the exercise of permitted development rights would harm local amenity, the historic environment or the appropriate planning for the area.

4.4 Scheduled monuments

Some heritage assets are designated as Scheduled Monuments. There are currently almost 20,000 entries in the Schedule, covering 35,000 sites ranging from prehistoric standing stones and burial mounds to Roman forts and medieval villages. The Schedule also includes some more recent structures such as collieries and wartime pill-boxes.

The scheduling of a monument means that permission, known as 'Scheduled Monument Consent', is required for works affecting that building or structure. Consent must be sought from the Secretary of State for Culture, Media and Sport, via Historic England, before any work can be carried out which might affect a monument. Where a building is scheduled and listed, Scheduled Monument Consent should be sought from Department for Culture, Media and Sport (DCMS) and the local planning authority notified. For further information contact DCMS²⁷.

4.5 World heritage sites

World Heritage Sites are places of outstanding universal value and are designated by the United Nations Educational, Scientific and Cultural Organisation (UNESCO). Planning authorities will have appropriate policies to protect and conserve WHSs and their settings. These policies will identify the need to protect the Outstanding Universal Value.

Historic England should be consulted on applications and UNESCO should be consulted on major restorations or interventions. The decision to consult UNESCO will be taken by Historic England.

4.6 Registered parks, gardens, and battlefields

Parks, gardens and battlefields of special interest may be entered onto registers. Registration makes the effect of a proposed development on sites and their setting a



material consideration. No separate consent in addition to planning permission is required for works to these designated heritage assets, but the NPPF policy applies as it does to other designated heritage assets.

However, local planning authorities are required to consult Historic England where a planning application affects a Grade I or II* registered park or garden or a registered battlefield. They are also obliged to consult the Gardens Trust on all applications affecting registered sites, regardless of the grade of the site (see the NPPG for further guidance on registered parks and gardens).

4.7 Certificates of immunity from listing

It is possible to apply for a Certificate of Immunity from Listing (Col) which can help to provide greater certainty over future development potential. A Col is a legal guarantee that the building will not be statutorily listed for five years from the issue of a certificate²⁸.

4.8 Recent changes to the system

4.8.1 Enterprise & Regulatory Reform (ERR) Act 2013

The ERR Act 2013 introduced a number of changes to the legislation protecting historic buildings in England. Although it retains the current level of protection, it makes it easier to manage certain changes by streamlining non-planning consents.

Key reforms:

- **Listed building entries:** it is now possible for specific parts or features of listed buildings to be identified as lacking special architectural or historic interest, and for structures and objects attached to or within the curtilage of a listed building to be excluded from the list description. This is to enable clarity over the extent of the special interest.
- **Certificates of Immunity (Col):** The Act enables applications for a Col at any time (previously this could only be done when a planning application had

been submitted). This reduces uncertainty over site constraints as proposals are developed.

- **Listed Building Heritage Partnership Agreements:** These allow the owner of a listed building or buildings and the relevant local planning authority to agree which necessary works are routine and regular and, if done correctly, will not harm its special interest. The agreement grants listed building consent for these works for an agreed period of time and they can go ahead whenever convenient.
- **Conservation area consent:** This is no longer needed for the demolition of unlisted buildings within conservation areas and has been replaced by a requirement to apply for planning permission. It is a criminal offence to carry out a demolition of a building in a conservation area without planning permission.

4.8.2 Enhanced Advisory Services

As mentioned above, in October 2015 Historic England launched four new services providing enhancements to the existing free planning and listing services. These are:

- **Fast-track Listing:** listing recommendations sent to DCMS in a quicker and guaranteed timeframe.
- **Listing Enhancement:** a review of an existing Listing description to give greater clarity over the extent of statutory protection in a guaranteed timeframe. This results in an amended Listing description being issued.
- **Extended pre-application advice:** additional pre-application advice beyond the initial free service.
- **Listing Screening Service:** assessment of the likelihood of any asset having a degree of interest that would warrant statutory listing.

Some of these services have been mentioned earlier in the publication and can assist with providing greater certainty and clarity on projects including heritage assets²⁹.

Further sources of information

5.1 Publications

National Planning Policy Framework

Sets out the Government's planning policies for England. It requires local planning authorities to adopt a positive strategy for the conservation and enjoyment of the historic environment, by recognising that heritage assets are irreplaceable resources, and to conserve them in a manner appropriate to their significance.

National Planning Practice Guidance

Sets out additional Government planning guidance to support the NPPF.

Encouraging Investment in Heritage at Risk, English Heritage and Colliers International, October 2011

An assessment carried out for English Heritage of industrial buildings at risk. Contains recommendations on what can be done to encourage investment in them.

'New Ideas Need Old Buildings', Heritage Lottery Fund, 2013

Research and case studies covering the contribution of historic buildings and areas to economic growth.

Heritage Counts 2016 – Heritage and the Economy, Historic England

An annual report which updates yearly data and identifies trends in relation to England's historic assets.

Principles of Selection for Listing Buildings, Department for Culture, Media and Sport, March 2010

Guidance setting out the general principles that the Secretary of State applies when deciding whether a building is of special architectural or historic interest and should be added to the list of listed buildings.

Historic England Advice Note 2: Making Changes to Heritage Assets

Advice on interpreting and applying policies set out in the NPPF in determining applications for planning permission and listed building consent.

Bibliography and credits

Bibliography

- ¹ The NPPF can be found at <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- ² <https://historicengland.org.uk/listing/the-list/>
- ³ Historic Buildings: Application of Part L of the Building Regulations to historic and traditionally constructed buildings – English Heritage (now Historic England) March 2011 – <https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/>
- ⁴ Planning Responsible Retrofit of Traditional Buildings By Sustainable Traditional Buildings Alliance (July 2015) – <http://www.sdfoundation.org.uk/downloads/Guide-1-Planning-Responsible-Retrofit-2015-08.pdf>
- ⁵ <https://content.historicengland.org.uk/content/heritage-counts/pub/2016/heritage-and-the-economy-2016.pdf>
- ⁶ Encouraging Investment in Heritage at Risk, Historic England and Colliers International, October 2011 – <https://content.historicengland.org.uk/content/docs/research/encouraging-investment-industrial-heritage-at-risk-summary.pdf>
- ⁷ 'ew Ideas Need Old Buildings' published in 2013 – <https://www.hlf.org.uk/new-ideas-need-old-buildings>
- ⁸ Encouraging Investment in Heritage at Risk, Historic England and Colliers International, October 2011
- ⁹ AMION and Locum Consulting 2010, from Heritage Counts 2016 – <https://content.historicengland.org.uk/content/heritage-counts/pub/2016/heritage-and-the-economy-2016.pdf>
- ¹⁰ <https://historicengland.org.uk/whats-new/debate/regeneration-stanley-dock-liverpool/>
- ¹¹ <https://www.gov.uk/government/publications/2010-to-2015-government-policy-local-enterprise-partnerships-leps-and-enterprise-zones/2010-to-2015-government-policy-local-enterprise-partnerships-leps-and-enterprise-zones>
- ¹² <https://historicengland.org.uk/services-skills/our-planning-services/charter/our-role>
- ¹³ www.hlf.org.uk
- ¹⁴ NPPG <https://www.gov.uk/government/collections/planning-practice-guidance>
- ¹⁵ <https://www.gov.uk/government/collections/planning-practice-guidance>
- ¹⁶ <https://historicengland.org.uk/advice/hpg/assistanceforowners/taxrelief/>
- ¹⁷ Section 66 & 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990
- ¹⁸ <https://www.gov.uk/guidance/national-planning-policy-framework/12-conserving-and-enhancing-the-historic-environment>
- ¹⁹ <https://www.gov.uk/government/collections/planning-practice-guidance>
- ²⁰ <https://historicengland.org.uk/advice>
- ²¹ www.ahfund.org.uk
- ²² www.heritagetrustnetwork.org.uk
- ²³ www.historicengland.org.uk
- ²⁴ <https://www.historicengland.org.uk/listing/the-list/>
- ²⁵ <https://content.historicengland.org.uk/content/docs/guidance/170127--he-curtilage-guidance-note-consultation-draft.pdf>
- ²⁶ <https://historicengland.org.uk/listing/what-is-designation/listed-buildings/listing-and-the-erra/>
- ²⁷ www.culture.gov.uk
- ²⁸ <https://content.historicengland.org.uk/content/docs/listing/applications-coi-from-listing.pdf>
- ²⁹ <https://historicengland.org.uk/services-skills/our-planning-services/enhanced-advisory-services/>

Photographic credits

- | | | |
|--|--|---|
| Front cover: Deptford Market Yard, Lewisham.
© Deptford Market Yard | pp12-13: Titanic Hotel, Stanley Dock, Liverpool.
© Christopher Heaney | p24: Derby city centre.
© Toby Ebbs, Conception Architects |
| pp4-5: Titanic Hotel, Stanley Dock, Liverpool.
© Christopher Heaney | p15: Deptford Market Yard, Lewisham.
© Deptford Market Yard | p28: Deptford Market Yard, Lewisham
© Deptford Market Yard |
| p7: Derby city centre.
© Toby Ebbs, Conception Architects | p19: Titanic Hotel, Stanley Dock, Liverpool.
© Christopher Heaney | |
| pp8-9: Victoria Mills, Shipley.
© Historic England | pp20-21: The Boilershop, Stephenson Works, Newcastle Upon Tyne.
© Alex Telfer | |
| p10: Victoria Mills, Shipley.
© Historic England | | |



British Property Federation
www.bpf.org.uk



Deloitte Real Estate
www.deloitte.com



Historic England

Historic England
historicengland.org.uk



RICS
www.rics.org