

# NON- DESIGNATED HERITAGE ASSETS



March 2022

Criteria

This document provides guidance for service users on how to identify non-designated heritage assets. These are buildings, monuments, sites, places, areas or landscapes identified as having a degree of significance meriting consideration in planning decisions but which are not formally designated heritage assets.



# Document details

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**Title:** Non-Designated Heritage Assets: Criteria

**Summary:** This document provides service users with a guide to the criteria used to assess whether a building, structure, settlement, archaeological site, landscape or landscape feature can be regarded as a non-designated heritage asset.

**Consultation:** Newark & Sherwood District Council Economic Development Committee approved publication of a draft document on the 18<sup>th</sup> November 2020, agreeing to a public consultation process. This was delayed due to the national Covid-19 pandemic. The draft document was nonetheless available throughout 2021 on the Council's website. Public consultation was undertaken during early-2022. Direct engagement was taken with all parish councils. Local architects, heritage and archaeological organisations such as Historic England and Nottinghamshire County Council were also consulted. Further engagement is planned during 2022-25 on the creation of a Local Heritage List (it is anticipated that this will be submitted to and agreed with Members in 2025). In addition, developers and members of the public can submit comments on non-designated heritage assets at any time. A form and QR code is included at the back of the document allowing stakeholders to suggest or challenge any potential identification.

**Approved:** This final version of the Criteria was approved by Committee on 23 March 2022.

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## Document availability:

This document is available on the Council's website:

[www.newark-sherwooddc.gov.uk](http://www.newark-sherwooddc.gov.uk).

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# Non-designated Heritage Assets

## CRITERIA

### EXECUTIVE SUMMARY

1. The criterion contained within this document explains that a *heritage asset* must have historic, archaeological, architectural or artistic interest, and that this interest must in turn also have a degree of significance, either through its rarity, representativeness, aesthetic appeal, integrity or association with groups or individuals in the past. This guidance document clarifies each of the categories of interest and degrees of significance and puts forward a process of heritage asset identification to be used by the local planning authority (LPA).
2. The identification of heritage assets, both designated and non-designated, plays an essential role in building and reinforcing a sense of local character and distinctiveness in the historic environment. The process of identifying significant local heritage will contribute to the evidence base used in the formulation and process of the Local Plan<sup>1</sup>. The criterion contained within this document is consistent with Government policy and associated guidance from Historic England<sup>2</sup>. The guidance will help decision-makers meet the objectives and policies concerning non-designated heritage assets within the Council's Local Development Framework which seek to protect the historic environment and ensure that heritage assets are considered in a way that best sustains their significance.
3. It is envisaged that an adopted Criteria will be used to produce a robust local list which shall celebrate the breadth of the historic environment in Newark and Sherwood District by encompassing the full range of heritage assets that make up the historic environment and ensure the proper validation and recording of local heritage assets. The Criteria will provide a consistent and accountable way of identifying local

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<sup>1</sup> Paragraph 190 of the National Planning Policy Framework advises LPAs to set out 'a positive strategy for the conservation and enjoyment of the historic environment' in their Local Plan. Emphasis is placed on sustaining and enhancing the significance of heritage assets and recognising the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring.

<sup>2</sup> See for example 'Historic England Advice Note 7 - Local Heritage Listing: Identifying and Conserving Local Heritage' (Historic England, 2021).

heritage assets, to the benefit of owners and developers who need to understand local development opportunities and constraints.

# Non-designated Heritage Assets

## CRITERIA

### INTRODUCTION | ONE

4. The historic environment is an asset of enormous cultural, social, economic and environmental value, contributing to our sense of history, place and quality of life. A heritage asset may comprise a building, structure, local character area, archaeological site, landscape or landscape feature. This document describes how 'non-designated heritage asset' identification, backed by the National Planning Policy Framework (NPPF)<sup>3</sup>, can help to recognise local distinctiveness and character to ensure these values are taken into account when changes affecting the historic environment are proposed.

**“Heritage asset: 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. It includes designated heritage assets and assets identified by the local planning authority (including local listing).” Annex 2, NPPF.**

5. Local planning authorities (LPAs) may identify non-designated heritage assets through local heritage listing. Local heritage listing is a means for a community and a local planning authority to identify heritage assets that are valued as distinctive elements of the local historic environment. It provides clarity on the location of assets and what it is about them that is significant, helping to ensure that strategic local planning properly takes account of the desirability of their conservation. Sometimes it may also help identify overlooked assets of high significance, which may warrant consideration for designation at the national level, too. The process of preparing a local heritage list not only allows communities to identify local heritage that they would like recognised and protected, but it is also an opportunity for local authorities and communities to work in partnership. Creating a local heritage list also helps to improve

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<sup>3</sup> Paragraph 203 of the NPPF makes it clear that the effect of a development proposal on the significance of a non-designated heritage asset should be taken into account in determining the application.

access to clear, comprehensive and current information about the historic environment at the local level through resources such as Historic Environment Records (HERs) which can speed up the planning process.

6. Nevertheless, a substantial majority of buildings have little or no heritage significance, and thus do not constitute heritage assets. Only a minority have enough heritage interest for their significance to be a material consideration in the planning process. It is the purpose of this document to set out the process through which the LPA will identify non-designated heritage assets.
7. Encouraging the use of the selection criteria within this document will fundamentally strengthen the role of local heritage assets as a material consideration in the planning process. The selection criteria also encourage a more consistent approach to the identification and management of local heritage assets across the District. In tandem with Historic England guidance, this methodology signals a move away from the buildings-led approach to local listing to encompass the full range of heritage assets that make up the historic environment and ensure the proper validation and recording of local heritage assets.
8. The NPPF makes it clear that local planning authorities should make information about the significance of the historic environment publicly accessible<sup>4</sup>.
9. In terms of how to use this guidance, as a starting point, developers, agents and any other interested parties are advised to contact the District Council's Conservation Team prior to any application which they believe may affect a heritage asset<sup>5</sup>.
10. This guidance will help members of the public and other stakeholders to suggest buildings, sites and other landscape features for identification as heritage assets. A form is included at the end of this document. Nevertheless, it is important to note that the nomination of a building will not automatically result in success. Indeed, as explained above in paragraph 6, the threshold for inclusion must be based upon robust assessment against the Criteria, and therefore all nominations will be accompanied by a detailed report by the Conservation Team. This process is explained in more detail in Chapter 6.

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<sup>4</sup> In accordance with paragraph 193 of the NPPF.

<sup>5</sup> Contact details are included at the end of this document.

# Non-designated Heritage Assets

## CRITERIA

### WHAT IS A NON-DESIGNATED HERITAGE ASSET? | TWO

11. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by the local planning authority (LPA) as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets<sup>6</sup>.

**“Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.” Paragraph 189, NPPF.**

12. There are a number of processes through which non-designated heritage assets may be identified, including the local and neighbourhood plan-making processes and Conservation Area Appraisals and reviews. Irrespective of how they are identified, it is important that the decisions to identify them as non-designated heritage assets are based on sound evidence. Locally listing a heritage asset does not bring additional consent requirements over and above those required for planning permission however. Identification of non-designated heritage assets, nonetheless, can help to influence planning decisions in a way that conserves and enhances local character. In accordance with the NPPF, the consideration of locally listed heritage assets will be material in planning decisions that directly or indirectly affect them.

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<sup>6</sup> Designated heritage assets include Scheduled Monuments, Listed Buildings, Registered Parks and Gardens, Registered Battlefields or Conservation Areas (designated under the relevant legislation).

13. Please note that locally listed heritage assets within conservation areas benefit from the general control over demolition afforded by the Planning (Listed Buildings and Conservation Areas) Act 1990.

#### NON-DESIGNATED HERITAGE ASSETS AND THE ROLE OF 'LOCAL HERITAGE LISTS'

14. Creating a local heritage list is a way for LPAs and communities to identify and celebrate historic buildings, archaeological sites and designed landscapes which enrich and enliven their area. Local heritage lists sit within a continuum of measures for identifying and protecting buildings and areas of heritage or townscape interest, which includes World Heritage Sites at the international level, national designations such as listed buildings, scheduled monuments, registered parks and gardens, and conservation areas, as well as buildings and sites which have been identified locally as having some heritage interest meriting consideration in planning decisions. Inclusion on a local list delivers a sound, consistent and accountable way of identifying local heritage assets to the benefit of good strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints. Local lists thus complement national designations in building a sense of place and history for localities and communities<sup>7</sup>. Local heritage listing is intended to highlight heritage assets which are of local heritage interest in order to ensure that they are given due consideration when change is being proposed. This advice does not cover intangible cultural heritage which does not have a formal system of protection.

#### NON-DESIGNATED HERITAGE ASSETS AND CONSERVATION AREAS

15. Heritage assets can be added to a local heritage list even when they are sited in conservation areas. This may sound strange given that conservation areas are in themselves designated. However, a conservation area is an area based designation which has been identified because of its overall special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. In this context, it is important to identify those unlisted buildings that make an important contribution to the character of the conservation area.

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<sup>7</sup> The National Heritage List for England (NHLE) is the official and up-to-date database of all nationally protected historic buildings and sites in England, including listed buildings, scheduled monuments, protected wrecks and registered parks, gardens and battlefields. More information about the different designation regimes and how to search the list can be found in the listing pages of the Historic England website.

16. An unlisted building that makes a positive contribution to a conservation area is individually of lesser importance than a listed building but if the building is important or integral to the character or appearance of the conservation area then its demolition or substantial alteration is more likely to amount to harm to the conservation area, engaging the firm tests within the NPPF<sup>8</sup>. However, decision-making must be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole.
17. Conservation Area Appraisals often provide a useful starting point for the preparation of a local heritage list<sup>9</sup>. One aspect of the appraisal process with particular relevance to local heritage listing is the identification of unlisted buildings that make a 'positive contribution' to the character of a conservation area. Most of the buildings in a conservation area will help to shape its character. The extent to which their contribution is considered as positive depends not just on their street elevations but also on their integrity as historic structures and the impact they have in three dimensions, perhaps in an interesting roofscape or skyline. Back elevations can be important, as can side views from alleys and yards.
18. Local constructional or joinery details, including characteristic historic shop-fronts and unusual local features, often contribute to local distinctiveness. But be aware that conservation area designation is likely to carry more weight in decision-making than local listing in the case of unlisted buildings in conservation areas. On the other hand, local listing might be appropriate for a building or buildings outside a conservation area which have some relationship with it.
19. Ultimately, local heritage listing demonstrates explicitly that a building makes a positive contribution to the character and appearance of a conservation area.

#### NON-DESIGNATED HERITAGE ASSETS WITH ARCHAEOLOGICAL INTEREST

20. A significant number of archaeological sites and landscapes remain undesignated<sup>10</sup>. Even in cases where they are added to a local heritage list, the interest and significance of archaeological assets may be national or regional. A local heritage list can therefore highlight both locally and nationally important, but unscheduled,

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<sup>8</sup> Specifically paragraphs 199 to 202 of the NPPF.

<sup>9</sup> See Historic England Advice Note 1 (2<sup>nd</sup> Ed) 'Conservation Area Appraisal, Designation and Management' (Feb 2019).

<sup>10</sup> Scheduling is at the discretion of the Secretary of State, who may decide that it is not appropriate, even for sites of national importance.

archaeological sites, helping them to be given the right level of consideration in planning decisions.

#### NON-DESIGNATED HERITAGE ASSETS AND NEIGHBOURHOOD PLANNING

21. The Localism Act 2011 has increased the role of communities in determining how planning decisions are made at the local level, including those involving heritage assets. Communities can play a key role in preparing neighbourhood plans which establish the general planning policies for the development and use of land in a neighbourhood and work in preparing a Neighbourhood Plan may indicate buildings and sites which merit inclusion as non-designated heritage assets. The Act also requires local authorities to maintain a list of assets of community value that have been nominated by the local community. As long as they meet the requirements set out in the Act, assets on a local heritage list may also qualify as assets of community value<sup>11</sup>.
22. In addition to the above, it should be noted that local communities working on neighbourhood plans identifying areas which have a special interest and character or appearance possibly meriting consideration for designation by the local planning authority.

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<sup>11</sup> Further information on the Localism Act can be found on the Communities and Local Government website.

# Non-designated Heritage Assets

## CRITERIA

### WHAT ARE THE RELEVANT PLANNING POLICIES? | THREE

23. Local authorities have to make a Local Plan, setting out planning policies which will guide planning decisions in their area, including those covering historic buildings and areas. Local plans have to be consistent with planning law and national policy and guidance and are expected to set out a positive and clear strategy for the conservation, enjoyment and enhancement of the historic environment. The Newark & Sherwood District Council Local Development Framework (LDF) Core Strategy Development Plan Document (DPD) (Amended March 2019) sets out a vision for the District that, amongst other things, is committed to maintaining and enhancing the District's attractive and distinctive environment in urban and rural areas whilst accommodating change. Core Policy 14 states:

*“Non-designated heritage assets including buildings of local interest, areas of archaeological interest and unregistered parks and gardens or as identified on the relevant Historic Environment Record or identified in accordance with locally agreed criteria. 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.”*

24. The interrelated Site Allocations and Development Management DPD is currently under review<sup>12</sup>. Nevertheless, Policy DM9 continues to be relevant and advises that the District's heritage assets, both designated and non-designated, should be conserved and protected in a manner that best sustains or enhances their significance.
25. Heritage assets not designated under statutory regimes, but recognised by the LPA as having heritage significance, do merit consideration in planning matters. The policies above anticipate that the decision-maker will reach a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage

<sup>12</sup> The COVID pandemic has delayed the timetable for this review. An updated schedule will be updated in due course and published on the Council's website.

asset. It is therefore important that the Council has a set of criteria with which to identify such assets at the earliest possible stage in the development process. These criterion should be applied consistently across the District, ensuring that non-designated heritage assets receive appropriate consideration in the planning process and that decisions are robust and well-considered.

#### NATIONAL PLANNING POLICY FRAMEWORK (JULY 2021)

26. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. Its central theme is the "presumption in favour of sustainable development". An overarching environmental objective seeks to ensure that development contributes to protecting and enhancing our built and historic environment. The historic environment is primarily covered in Section 16. Additional advice is contained within the National Planning Practice Guidance (PPG).
27. Paragraph 190 makes the Government's position on heritage very clear, stating that:
- "Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;
  - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
  - c) the desirability of new development making a positive contribution to local character and distinctiveness; and
  - d) opportunities to draw on the contribution made by the historic environment to the character of a place."

28. The PPG adds that plan-making bodies should make clear and up-to-date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers. This includes information on the criteria used to select non-designated heritage assets and information about the location of existing assets. In this context, it can be helpful if local planning authorities keep a local list of non-designated heritage assets, incorporating any such assets which are identified by neighbourhood planning bodies. In some cases, local planning authorities may also identify non-designated heritage

assets as part of the decision-making process on planning applications, for example, following archaeological investigations.

29. Paragraphs 192 and 193 of the NPPF advise that the LPA should have access to an Historic Environment Record (HER), and up-to-date evidence about the historic environment to enable the assessment of the significance of heritage assets. Information about the historic environment should be publically accessible. The PPG adds that it is helpful if Local Plans note areas with potential for the discovery of non-designated heritage assets with archaeological interest. The HER will be a useful indicator of archaeological potential in the area furthermore.
30. In accordance with paragraph 194 of the NPPF, LPAs require applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, applicants should also consult the HER managed by Nottinghamshire County Council. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, LPAs should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. In turn, when the LPA makes its own assessment of significance, it should use evidence and necessary expertise when considering the impact of a proposal on a heritage asset to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
31. Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision (paragraph 196).
32. In accordance with paragraph 197, when determining relevant applications, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - c) the desirability of new development making a positive contribution to local character and distinctiveness.

33. There is a graduated policy for designated heritage assets which reflects their statutory protection, covered in paragraphs 199 to 202. The potential exception to this is that non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage assets<sup>13</sup>. The PPG explains that other non-designated heritage assets of archaeological interest not comparable to scheduled monuments form a much larger category of lesser heritage significance, although still subject to the conservation objective. On occasion the understanding of a site may change following assessment and evaluation prior to a planning decision.
34. The main policy for non-designated heritage assets in decision-making is set out in paragraph 203 of the NPPF. It states that non-designated heritage assets are material in relevant decision-making, and that in reaching a view, a balanced judgment is required. As stated above, there is a graduated policy for designated heritage assets. Importantly, the balancing exercise for non-designated heritage assets does not necessitate greater weight as required for designated.

**“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 directly or indirectly affect 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.” Paragraph 203, NPPF.**

35. Paragraph 204 states that LPAs should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.
36. In addition, paragraph 205 follows with: “Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.”

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<sup>13</sup> The reason why many nationally important monuments are not scheduled is set out in the document Scheduled Monuments, published by the Department for Digital, Culture, Media and Sport.

37. LPAs should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (paragraph 206).

#### WHAT WEIGHT SHOULD BE GIVEN TO LOCAL HERITAGE LISTS?

38. While identification of non-designated heritage assets can be a legitimate response to an actual or perceived threat to a heritage asset, including the threat of demolition, the level of protection afforded is influenced by the manner in which the local heritage list is prepared and maintained. The sounder the basis for the addition of an asset to the local heritage list – particularly the use of selection criteria – the greater the weight that can be given to preserving the significance of the asset. The extent of consultation undertaken on the local heritage list and the inclusion of assets on it also increase that weight.
39. Nevertheless, the absence of any particular heritage asset from the local list does not necessarily mean that it has no heritage value, simply that it does not currently meet the selection criteria or that it has yet to be identified.
40. Maintaining the local heritage list is important. The more regularly updated a list is, the more helpful it will be<sup>14</sup>. This may include adding new buildings or sites or removing those that no longer fulfil the criteria. Reviews can also be made on an on-going basis (as and when nominations are received), or may be held once a set number of nominations have been submitted. Removal of assets from the list may be appropriate in circumstances where an asset no longer meets the criteria for selection, has been demolished, or has undergone changes that have negatively impacted on its significance.

#### DEMOLITION OF NON-DESIGNATED HERITAGE ASSETS

41. Relevant demolition of unlisted buildings in conservation areas requires planning permission. Evidence from planning appeals indicates that local heritage assets in a conservation area are more strongly protected from demolition than those which are

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<sup>14</sup> In accordance with national guidance contained within HE Advice Note 7 (2021), the review period is best decided at the local level but could be timed to coincide with the release of new information such as a new or updated Conservation Area Appraisal.

not<sup>15</sup>. Nevertheless, an unlisted building that makes a positive contribution to a conservation area is still individually of lesser importance than a listed building. Only if the building is significantly important or integral to the character or appearance of the conservation area will its proposed demolition amount to substantial harm to the conservation area, engaging the tests in paragraph 201. However, the justification for its demolition will still be proportionate to the relative significance of the building and its contribution to the significance of the conservation area as a whole. Loss of a positive building within a conservation area is more likely to amount to less than substantial harm under paragraph 202.

42. Where local heritage assets are situated outside conservation area boundaries, many alterations to unlisted buildings and structures can be carried out as permitted development where the local planning authority has limited control. Outside conservation area boundaries, the demolition of buildings is normally permitted development, for which the prior approval of the LPA is only required for the method of demolition and any proposed restoration of the site.
  
43. Nevertheless, in cases where planning permission is required, non-designated heritage assets located outside of conservation areas enjoy some limited protection from demolition. As has been stated, in accordance with paragraph 203 of the NPPF, a balanced judgement is required in determining the impact on the heritage asset and the scale of the harm to it. Evidence which might assist in determining whether there is a justification for demolition might include structural engineer's reports, historic building assessments and viability reports. It is possible, for example, that an up-to-date historic building assessment may reveal previously unknown evidence about the significance, or even lack of significance, of the heritage asset. The condition of the fabric of a heritage asset, or the perceived cost of repairing or renovating it may also be important in reaching a balanced judgment. The challenges of restoration and compliance with Building Regulations are part of this discussion. If it is demonstrably unviable to conserve a heritage asset, or through compliance with Building Regulations, a heritage asset might be significantly compromised, there might be a decisive reason to justify loss. In this same context, where it can be demonstrated that no viable use or long term conservation strategy is possible for a non-designated heritage asset, demolition may also be justified. Evidence of prolonged vacancy, unsuccessful marketing and a condition survey with presumed exorbitant costings may assist in those cases.

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<sup>15</sup> See examples contained within the 'Heritage Planning Case Database' on the Historic England website: <https://historicengland.org.uk/advice/hpg/planning-cases>.

44. In addition, remember that paragraph 205 of the NPPF advises that developers should record heritage assets to be lost (wholly or in part) in a manner commensurate to their significance<sup>16</sup>. However, the ability to record should not be a factor in deciding whether such loss should be permitted.

#### PERMITTED DEVELOPMENT RIGHTS

45. Where changes and alterations to non-designated heritage assets do not require planning permission, an LPA may consider whether the exercise of permitted development rights would undermine the aims for locally listed heritage assets.
46. In cases where it would, LPAs may consider the use of an Article 4 Direction. It restricts the scope of permitted development rights either in relation to a particular area or site, or a particular type of development anywhere in the LPA's area. Where an Article 4 Direction is in effect, a planning application may be required for development that would otherwise have been permitted development. Article 4 directions are used to control works that could threaten the character of an area of acknowledged importance, such as a conservation area. Article 4 Directions may also be used to require planning permission for the demolition of a non-designated heritage asset (such as a locally listed building outside of a conservation area), by removing the demolition rights under part 11 of the Town and Country Planning (General Permitted Development) (England) Order (as amended).
47. It should be noted, however, that the Government advises that LPAs should consider making Article 4 Directions only in those exceptional circumstances where the exercise of permitted development rights would harm local amenity, the historic environment or the proper planning of the area. It is recognised that these powers will continue to be under review by the Government, and therefore it is emphasised here that only in exceptional circumstances will such restrictions be considered. Nevertheless, it must also be acknowledged that permitted development for barn conversions and commercial change of use can often make it challenging to secure heritage interest.

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<sup>16</sup> Copies of evidence such as 'historic building recording' should be deposited with the Nottinghamshire HER, and where appropriate, any archives with a local museum or other public depository.

# Non-designated Heritage Assets

## CRITERIA

### WHAT ARE THE CRITERIA FOR IDENTIFYING NON-DESIGNATED HERITAGE ASSETS? | FOUR

48. Local heritage asset identification has the capacity to include all types of structures and features. Selection criteria are essential in defining and limiting the scope of the non-designated heritage asset list and should take account of the range of assets in an area. This includes recognition that local distinctiveness may lie as much in the commonplace or everyday as it does in the rare and spectacular. The identification and consideration of non-designated heritage assets in the planning process will be more effective if supported by objective criteria that have been tested through public consultation<sup>17</sup>.
49. As previously stated, the definition set out in the NPPF advises that a heritage asset is 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. In order to identify the many different types of asset found within Newark and Sherwood District's historic environment, the Council has brought together guidance contained in various heritage-related publications, including Historic England listed building selection guides and local listing best practice guidance<sup>18</sup>. Common overarching themes include:
- Cultural landscapes: heritage assets associated with a significant period in an area's history;
  - Social history: assets associated with the social history of an area, including intangible aspects of heritage such as traditions and practices, or literary associations;

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<sup>17</sup> In accordance with best practice, this draft document will be subjected to appropriate public consultation.

<sup>18</sup> In accordance with advice contained within the publication 'Historic England Advice Note 7: Local Heritage Listing' (2021).

- Patterns of settlement: notable examples of planned or incidental planning including: street plans; characteristic clusters of assets; interrelationship between buildings and open spaces; major infrastructure;
  - Local Figures: assets associated with individuals of local importance including those identified by commemorative plaque schemes.
50. Historic England's Conservation Principles (2008) provides further detail on assessing the significance of a heritage asset, based around an understanding of an asset's evidential, historical, aesthetic or communal value. The language which has evolved through these heritage guidance documents and other relevant research includes the inter-connected themes of 'interest' and 'significance', which are found repeatedly<sup>19</sup>. Both terms are fundamental to explaining what makes a heritage asset special.
51. The different types of 'interest' which have been identified as being relevant for Newark and Sherwood District are: archaeological, architectural, artistic and historic.

#### ARCHAEOLOGICAL INTEREST

52. Archaeological remains can be both above and below ground and can include buildings, landscapes, sites and wrecks as well as other types of heritage asset. Not all archaeological remains are known and new discoveries are constantly being made. Furthermore, not all nationally important archaeological remains are scheduled and there are many nationally, regionally and locally important sites within the District. Where development affects such sites the extent to which they should be preserved will depend on a range of factors including the intrinsic importance of the remains.
53. Heritage assets that contain archaeological remains are the primary source of information about the historical development of places and the people who inhabited them in the past. These assets form part of a picture of the past that spans from the hunter-gatherers to the present day.
54. Identified non-designated heritage assets with archaeological interest may provide evidence about past human activity in the locality, which may be archaeological –

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<sup>19</sup> The predecessor of the NPPF, PPS5 introduced the term 'significance' into national policy to provide rigour in decision-making. In tandem, the Historic England publication 'Conservation Principles, Policies and Guidance' (2008) set out ways of assessing significance, stating that significance can be defined as "the sum of the cultural and natural heritage values of a place, often set out in a statement of significance". This language underpins the present national policy approach.

that is in the form of buried remains – but may also be revealed in the structure of buildings or in a manmade landscape<sup>20</sup>.



*Remains of kilns uncovered during a development project in Newark. Industrial heritage of this nature tells us about historic settlement and economy.*

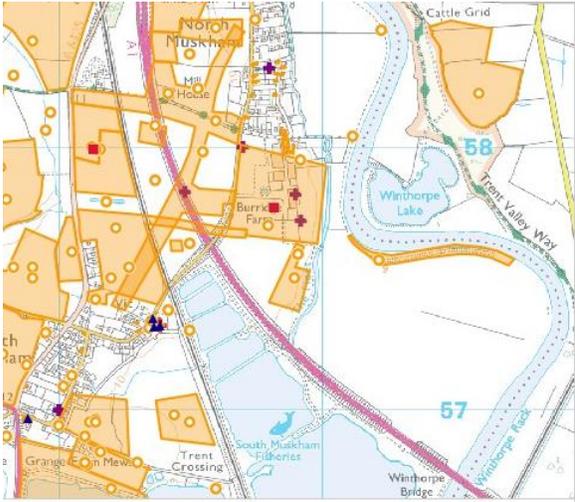
55. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

**This may be an appropriate reason to designate a locally significant asset on the grounds of archaeological interest if the evidence base is sufficiently compelling and if a distinct area can be identified.**

56. Sites of archaeological interest may be detected through development works, agricultural practices, archaeological studies, metal detecting, and studies of aerial photography or otherwise brought forward by local residents, although identification (and inclusion on the Nottinghamshire HER) will typically be undertaken by

<sup>20</sup> The interest attached to locally important historic designed landscapes, parks and gardens which may relate to their design or social history. This may complement a local green space designation, which provides special protection against development for green areas of particular importance to local communities for their current use.

professional archaeologists or a relevant body (including Nottinghamshire County Council).



*Left: Extract from the County HER showing areas of archaeological significance within the North Muskham area. Right: Evidence of older agricultural practices at Laxton. Ridge and furrow can be found around many historic villages and contributes to our understanding of rural settlements.*

## ARCHITECTURAL INTEREST

57. Assets that are of architectural interest are identified because of their design, construction, craftsmanship or decoration. Such assets help reinforce the individual sense of place and may be a physical representation of a particular type or era of architecture, a particular architect (of local or regional importance) or company (such as former Co-operative Society buildings). Such design may be individually distinctive or represent a style notable in that area. An asset with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene.

**The architectural and aesthetic value of an asset, as expressed in its design, scale, form and appearance, will typically relate to local styles, materials or any other distinctive local characteristics.**

58. Certain architectural styles and materials appear more prominent in different parts of the District. For example, the use of locally-quarried stone in the west of the District is commonplace in surviving 18<sup>th</sup> and 19<sup>th</sup> century buildings. In the east, the use of red clay for bricks and tiles is more common.



*Top left: Traditional post-medieval farmhouse in Gonalston, comprising handmade red brick with distinctive coped gables; top right: 19<sup>th</sup> century villa style vicarage at Hockerton with refined detailing; middle-left: former Victorian station building at Clifton-on-Trent; middle-right: Traditional late 18<sup>th</sup>-century barn range at Staythorpe with rustic estate architecture; bottom-left: the landmark tower at the former Balderton hospital site; bottom-right: St Simon and St Jude, an impressive architectural piece by C. E. Howitt of Nottingham from 1938.*

## ARTISTIC INTEREST

59. An asset with artistic interest will exhibit some degree of creative skill in its creation, design or later alteration, whether through sculpture, painting or other method of decoration (including for advertising purposes).

**The intrinsic design value of an asset relating to artistry, decorative styles, or other distinctive local characteristics.**

60. Assets with artistic interest may include structures such as war memorials, gate piers or railings. In addition, decorative elements on buildings or structures, such as finials, roof bosses, door surrounds or signage, may also hold a degree of artistic interest.



*Gate of Remembrance at Southwell. A free-standing concrete memorial in honour of the fallen with incised gold lettering in the top section.*

## HISTORIC INTEREST

61. The age of an asset can be an important element of historic interest. The older a building or feature is, the more likely it is to have significance. Age may also relate to distinctive local characteristics or building traditions. An asset might also have importance in relation to events or people in the past, either as a direct representation of the particular event or group of people (such as a purpose-built structure like a chapel) or by the historical use of a building or site for a particular practice (the remnants of malt houses in Newark, for example, reflect an important industrial period within the town).

**The significance of a non-designated heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures.**

62. Sites and structures with historic interest not only provide a physical record of our past, but also contribute to an area's sense of place, individuality and cultural identity. For these reasons, these types of sites and structures can have considerable local (and sometimes regional) importance in terms of their contribution to local character and distinctiveness. Where a site or structure is identified as being of potential national importance, it is likely that these would be put forward for designation.
63. Historic interest can also have social and communal value. This may, for example, relate to places perceived as a source of local identity, distinctiveness, social interaction and coherence (often residing in intangible aspects of heritage contributing to the collective memory of a place). The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record.



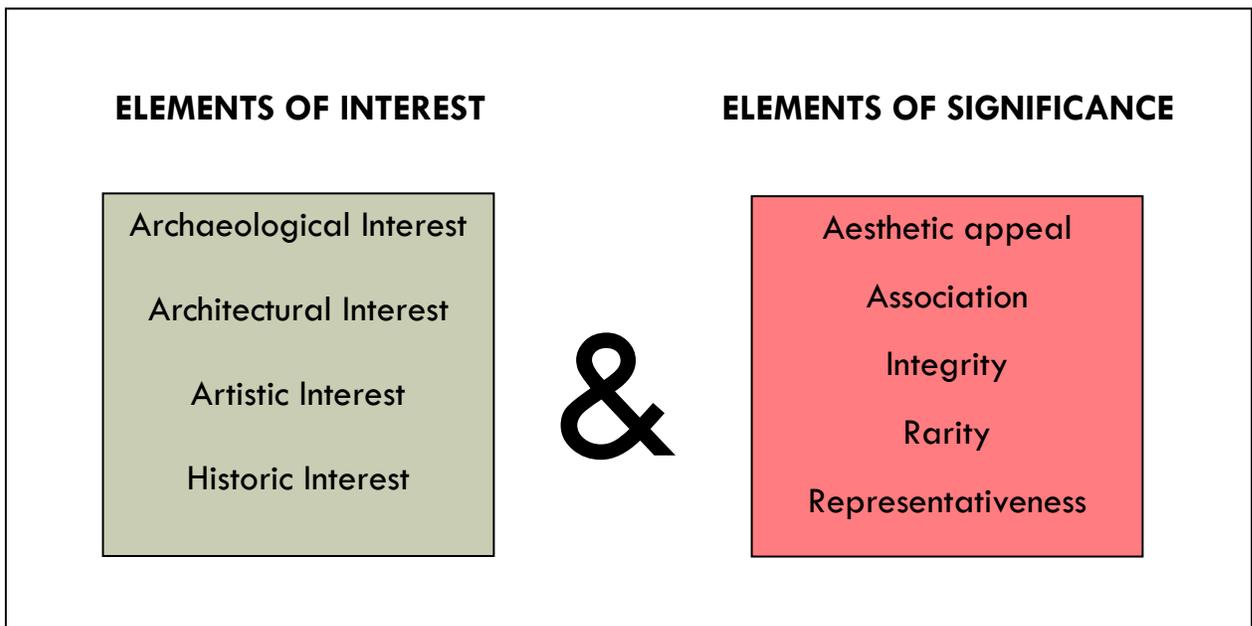
*Top left: Former Methodist church on Meyrick Road, Newark; top right: former dairy farm at Brackenhurst; bottom left: former infant school on Lover's Lane, Newark; bottom right: maltings on George Street, Newark.*

## IDENTIFYING SIGNIFICANCE

64. If the potential heritage asset site or feature has at least one element of interest – archaeological, architectural, artistic or historic - it will then be judged on its significance. The importance of a site or structure can be measured in terms of how it

meets any of five elements of significance, namely: aesthetic appeal, association, integrity, rarity or representativeness.

- 65. In order for a building, site or other feature to be considered a non-designated heritage asset, it must have at least one element of interest and one element of significance. The evidence for both elements must be convincing and reasonable.
- 66. With national designations, significance has typically been referred to as 'special interest'. The parallel approach promoted here is based upon an understanding of an asset's evidential, historical, aesthetic or communal value. The diagram below shows the relationship between 'interest' and 'significance':



**AESTHETIC APPEAL**

- 67. The asset may evoke positive feelings of worth by reason of its architectural, design or artistic quality or in its form and layout. It may also have either a harmonious or diverse use of materials and design features to give an overall attractive external appearance in the street scene.
- 68. An asset with aesthetic appeal will usually be in a decent or good physical condition, or in a state which can easily be restored.

## ASSOCIATION

69. Groupings of assets with a clear visual design or historic relationship. Evidence may suggest that an asset is associated with a particular person or historic event. This may relate to a particular landowner, commemoration (often of royal events), charity, religious group or other group in the past. It may also relate to commercial or estate associations.
70. Examples may also include sites previously inhabited, designed or constructed by well-known or locally prominent individuals or groups of people. Even where the association cannot be proved, certain sites may be valued for associations that are based on local tradition rather than historical fact.

## INTEGRITY

71. To have a degree of integrity, an asset should retain a sense of completeness, either as an individual building, structure or landscape feature, or as part of a larger group. The asset may also express either a single-phase of development, or encompass multiple phases with historic interest, as can often be found with residential properties or farmsteads. Composite or unadulterated architecture is much more likely to be considered to have integrity than one that is fragmented or eroded. Nevertheless, later changes can still be of interest.

## RARITY

72. Appropriate for all assets, as judged against local characteristics. For an asset to have a degree of rarity (whether it be a building, archaeological site, landscape, landscape feature or settlement), it must exemplify a design, settlement pattern, or other quality that is in itself uncommon, either to the locality, district or wider region. A building for example may be of considerable age but may not necessarily be particularly rare. Conversely, a more modern building or site which is no longer plentiful may have greater significance. Remnants of early motoring heritage could fall into this bracket for example.

## REPRESENTATIVENESS

73. An asset may not necessarily be rare, but instead it could be representative of a particular historical or architectural trend. It may also be the part of the legacy of a particular individual, architect, and architectural movement, programme of works, company or group in the past.

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# Non-designated Heritage Assets

## CRITERIA

### WHAT TYPES OF ASSET WILL BE IDENTIFIED? | FIVE

74. This section of the document provides thematic types of buildings, structures and other sites, landscape and features that might be capable of being identified as heritage assets. There may be buildings or features of architectural, archaeological, historical or artistic significance that may not easily be grouped into one of the thematic categories detailed in this section (such as boundary features). These should nevertheless be identified as heritage assets where appropriate.

#### AGRICULTURAL

75. Historic farmsteads and their buildings make a major contribution to the richly varied character of our countryside, and illustrate the long history of farming and settlement in the English landscape.
76. Newark and Sherwood District is a predominantly rural area with an extensive range of agricultural buildings and structures. Although there are examples of standalone assets such as field barns and pinfolds, agricultural assets typically possess group value and association. The relationship between farm-based activities determines how buildings are arranged around the farmstead, and how they relate to the house. Farmsteads comprising a farmhouse and barns arranged around a crew yard, for example, or a model farm. Wider associations may relate to 18<sup>th</sup> and 19<sup>th</sup> century estates, or perhaps 19<sup>th</sup> and 20<sup>th</sup> century model farm corporations.
77. Agricultural buildings and structures may hold significance in terms of their architecture or their historic role in the area (e.g. threshing barns, dovecotes, pinfolds). As heritage assets, such buildings and structures may be of a variety of styles, use a range of materials and typically date from periods between the 18<sup>th</sup> and 20<sup>th</sup> century (earlier structures are likely to be nationally designated). Buildings and structures may also be significant because of internal features such as flooring, troughs or other equipment.

78. Historic alterations to such buildings and structures may also highlight changes to both the particular building and farming practices over time. Farmstead plans are of interest because they evidence local farming regions, and in time the emergence of more advanced agricultural regimes (or sometimes short-term enthusiasms) and because, along with natural landforms and field patterns, they are essential components of rural landscapes.

#### COMMEMORATIVE STRUCTURES

79. Commemorative structures such as memorials, statues, funerary monuments, gravestones, tombs and plaques, are of considerable importance both in terms of their contribution to local identity and in their aesthetic qualities. Such structures are present in most settlements and are constructed in a variety of different designs and materials for a variety of purposes.
80. Other than those given statutory protection (either listed or within the curtilage of listed buildings), a large number of non-designated commemorative structures contribute significantly to the character and history of an area. These structures can be viewed as representations of the artistic styles and social values of the time. In addition to this, however, they can provide a physical link to the past and often provide a valuable insight as to the importance or status of the people commemorated.

#### COMMERCIAL & EXCHANGE BUILDINGS

81. Commercial buildings and structures can make a valuable contribution to the character of the historic environment and often provide an element of continuity in an otherwise constantly changing urban and rural landscape. This category broadly covers buildings for the 'face to face' buying and selling of goods or services by providers to the general public: shops and stores, market halls and exchanges; hotels, restaurants, inns and pubs; and banks. Offices and chambers, although less public, can also fall within this category. Shops, public houses and offices, whether individually or locally distinctive, or representative of a particular company, may have additional significance at the heart of settlements.
82. Some specialised commercial buildings emerged in the medieval era, others developed in the 17<sup>th</sup> and 18<sup>th</sup> century. But their range and scale were transformed in the 19<sup>th</sup> century and they made a huge impact on the face of the Victorian town; the 20<sup>th</sup> century continued this trend. Commercial architecture always placed a high premium on novelty and effect. This has resulted in some of the country's most splendid

public high street architecture. However, it has also led to constant change, especially regarding shop fronts and fittings. Rates of survival can therefore be low, giving rarity value.

83. The physical attributes of the particular building or structure may be worthy of identification, as could the historical use of that site. In terms of design, Victorian and earlier structures often have a more decorative emphasis than post-World War One (WW1), where functionality became more dominant. Glazing may also be important, either in its extent or in the design of its fittings. Shop frontages or signage brackets are further examples of features that may contribute to the site's significance as a heritage asset.

#### CULTURE, ENTERTAINMENT, SPORT AND RECREATION

84. Whilst these buildings may be wide ranging in terms of scale and suitability of alternative use, what unites them is the pursuit of pleasure and escapism that led to their construction. Such buildings and structures often have aesthetic detail that helps illustrate both the particular use and the era in which that particular structure was erected. These assets may include for example cinemas, museums, libraries, galleries, theatres, dance halls, billiard halls, sports halls and arenas. Given the types of uses involved, they often form an integral part of communities.
85. As heritage assets, these buildings or structures should have a significant proportion of their original fabric remaining. In particular, those elements that identify or represent the original purpose of the building or structure should be intact.

#### DOMESTIC

86. These are the most numerous of all buildings and structures in the historic environment and unmistakably exhibit both external and internal characteristics that help to place the structure into its particular era or architectural style. Historic alterations to dwellings are also easily dated, especially where in contrast to original architecture or materials.
87. Most dwellings can be classed as one of the following:
- vernacular houses of local materials, typically comprising dwellings erected mainly before the Victorian period when increasing standardisation of materials and design became widespread;

- town houses of all types including grand aristocratic residences, terraces, mews and workers' housing;
- suburban and country houses; suburban or rural, country houses, villas, and semi-detached houses share certain characteristics, principally that they are defined by the space around them (they take advantage of more generous ground plots and are laid out with more freedom than their urban equivalent), and often being set in substantial gardens or forming part of a larger estate, they have a different relationship with nature and can be part of distinct individual landscapes.
- 20<sup>th</sup> century housing. Domestic architecture of the 20<sup>th</sup> century can claim particular significance. The Arts and Crafts Movement and the Garden City Movement are two international trends of modern times that originated in England, and the private house – the unit of the English suburb – lay at their heart. In the inter-war years, interesting private houses were built in a variety of traditional as well as modern styles, and to an extent this continued in the post-war years.

88. Houses that express an identifiable historic architectural style and retain much of their original fabric are likely to be considered as a heritage asset, especially where they form a group.

#### EDUCATIONAL BUILDINGS

89. Centres of education can be amongst the most important local landmarks and their continued use (not only for educational purposes) reflects this. Post-World War Two (WW2) schools (often concrete) were generally constructed using the pre-fabrication system CLASP, the majority of which have little significance as heritage assets. However, Nottinghamshire County Council have undertaken a review and identified those of particular significance dating to before WW2:

- Pre-board schools (pre-date the 1870 Education Act) often built by churches (called National Schools) or local benefactors.
- Board schools (built by locally elected School Boards) built between 1870 and 1904 and often designed by eminent local architects.
- Early Local Education Authority schools (1904-1911) designed by Nottinghamshire County Council head architect L.E. Maggs. Standardisation of design was common, including features such as marching corridors.
- Inter-war schools (also L.E. Maggs) constructed for the expanding collieries.

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## PARKS AND GARDENS

90. Designed landscapes is now a well-established wide-ranging term to describe landscapes created to provide aesthetically pleasing settings for private houses, institutions and facilities (such as waterworks). It includes private urban gardens, public parks, town squares and public walks, and municipal cemeteries, as well as allotment gardens. The landscape parks of the 18<sup>th</sup> century that were set out around country houses in an idealised 'natural' manner were hugely influential throughout Europe and are considered to be among England's most important contributions to art and design. Planned green open spaces in our towns and cities make a major contribution to the quality of life. All designed landscapes are likely to contain buildings and other hard landscaping features such as terraces that will often make a positive contribution to the overall character of the place. They may also exhibit architectural features that reflect the fashions of their respective times (such as Japanese-style gardens from the early-20<sup>th</sup> century).
91. A large number of unregistered parks and gardens are already identified on the County HER. Examples include those set around large country houses (some of which were demolished in the 20<sup>th</sup> century) and 19<sup>th</sup> and 20<sup>th</sup> century planned cemeteries.
92. Buildings and structures regarded as heritage assets may include follies, glass houses, cottages, bothies, fencing, walls, gates, steps, terraces, balustrading, statues, water-features, bridges, paved walkways and driveways, amongst others. Greater significance should be given to assets where the wider park or garden remains legible, or where group value and context survives to individual components.

## HEALTH AND WELFARE BUILDINGS

93. Buildings and structures erected for the purpose of caring for the sick, disabled, elderly and poor vary in size, scale and design, and illustrate how attitudes to those groups has changed over time. This category includes some of the largest heritage assets and, in particular, the former hospitals/infirmaries that form the core of some modern health care sites. They were usually erected by the state, church or private charities and philanthropists. They are often recognisable with architecture, designs, or features repeated throughout the region or country, although may have local detailing or use local materials.

## INDUSTRIAL BUILDINGS

94. As the birthplace of the industrial revolution, British settlements have an abundance of surviving industrial heritage, much of which is still used for its original purpose. Industrial buildings and structures may have significance because of their architectural style, design, construction materials or for what they manufactured and the importance this has to the locality or region. Such buildings and structures may also exhibit features related to their historical use. Historic industrial sites are a vital element of our tourist industry. They also feature strongly in most urban regeneration and rural land use programmes, and they may well present opportunities for new uses but also challenges for amenity and remediation.
95. The progression of the transport network along the River Trent into Newark from the 18<sup>th</sup> century, as well as railways during the 19<sup>th</sup> century and roads/motorways from the 20<sup>th</sup> century had a direct impact on the District's industries. Industries included coal, textiles, milling, brewing, warehousing, food production and engineering. Industrial heritage has had a significant impact on the landscape across the District.

## LAW AND GOVERNMENT

96. This category includes heritage assets built for local governance and civic functions, notably village halls, police and fire stations (or those used for a combination of uses). Their design often provides a reminder of the changing role the state has played in society, such as policing (village police houses and lock-ups are occasional features in our towns and villages for example).
97. Those with significance as heritage assets will either have the majority of their fabric intact or retain the most important elements of the original design, construction, or decoration.

## MILITARY STRUCTURES

98. Military sites are both offensive and defensive: they include fortifications designed to withstand assaults, and bases from which operations could be launched.
99. Civil War fortifications are a significant feature of Newark and its surrounding environs, many of which are scheduled.
100. Features associated with 20<sup>th</sup> century warfare are also evident, such as air raid shelters and shooting ranges. Some structures are unique; other types, particularly in

the 20<sup>th</sup> century, were constructed using standard designs, methods of construction and materials. These buildings and structures help to represent the importance of the armed forces to the history of our society. They may be stand-alone structures (such as former air raid shelters or anti-aircraft gun placements) or be within larger military sites such as airfields. Trenches associated with military training may also have significance. The WW1 training trenches at Clipstone, for example, are significant in their extent and survival, but might also have regional or even national significance.

## PLACES OF WORSHIP

101. Many places of worship enjoy statutory protection, but there are also many unlisted religious sites which are of considerable architectural, archaeological, historical and artistic significance. Of particular prominence across the District are the large numbers of non-conformist chapels often dating to the 19<sup>th</sup> century, some of which display considerable artistic features such as decorative central windows and date-stones. Other places of worship prominent in the district are the Anglican churches of the late 19<sup>th</sup> and early-mid 20<sup>th</sup> century that often possess significant architectural detailing such as stained glass windows and arched porches, although often simpler in their design than earlier structures.

## STREET FURNITURE AND HISTORIC SURFACES

102. The character of our street scenes is greatly enriched by historic street furniture and historic surfaces. Given that roads undergo constant change, street furniture is particularly vulnerable to these changes. Examples may include lamp posts, post boxes, telephone kiosks, milestones, directional signs, boundary walls, horse-related structures, bollards and drinking fountains. Many of these hold artistic, architectural or historic significance. Particularly rare are those structures such as drinking troughs and mounting blocks that relate to horse-based transportation. The majority of street furniture of significance is likely to date from the Victorian period onwards (since little from before this time survives intact).
103. External street, pavement and yard surfaces are often a part of the historic environment that is overlooked, particularly during development works and the installation of underground services. Surfaces with significance can include cobbles, brick or stone. Stone setts are particularly prominent in Newark, with water-worn cobbles and gravel more common in the east of the District. York stone flag surfaces are also of significance and usually date to between the late-18<sup>th</sup> and late-19<sup>th</sup> century. These surfaces enhance the setting of historic buildings and contribute to the

character of the wider historic environment. They may also help link together otherwise separate clusters of buildings as an element of continuity.

## TRANSPORT

104. Newark and Sherwood contains several Iron Age trackways and Roman roads, some of which are in use today. Whilst the modern surfacing may not be of merit, the routes that survive and their lasting impact on landscapes are regarded as historically and archaeologically significant. 18<sup>th</sup> and 19<sup>th</sup> century toll roads often had associated toll houses, the proceeds from which financed road building and maintenance. Several toll houses still remain, some of which are not designated, although they are clearly of historic (and possibly architectural) interest. Later structures may also be of significance.
105. Water and rail travel have also had a lasting impact on the landscape. The River Trent possesses a wide variety of heritage assets along its route, for example. The railways have had an important impact from the middle of the 19<sup>th</sup> century, with numerous buildings and structures such as stations, crossings, signal boxes, bridges, weigh houses and warehouses. Sidings and the routes themselves may also be of historic interest.
106. Pedestrian and horse-related transport infrastructure may also be of significance, such as bridges over watercourses. Evidence of dray horse tow ropes can sometimes be read in the masonry along the waterways, providing further significance and context to heritage assets.

## UTILITIES AND COMMUNICATIONS

107. This category includes those heritage assets related to the supply of water, to sewage disposal, gas supply, electricity generation/supply and communications. Given their nature, these assets are usually functional although can often contain intricate decoration, both internally and externally. In addition, the functional parts of these structures may be of historic interest themselves. Examples may include water towers, water pumps, pumping stations, letter boxes, post offices, telephone repeater stations or telephone exchanges.

## ARCHAEOLOGICAL SITES

108. A large number of areas with archaeological interest are already identified on the Nottinghamshire County Council Historic Environment Record (HER). These range from

Palaeolithic features through to medieval ridge and furrow and remnants of World War Two (WW2) sites, encompassing all types of entries such as spot-finds through to large industrial complexes. These existing sites and features are typically already identified as non-designated heritage assets for their archaeological interest.

109. In addition to these existing sites, new sites may come forward, either as a result of development works, agricultural practices, archaeological/local studies, metal detecting, and studies of aerial photography or local knowledge. Once these sites are acknowledged by the County Council as being of archaeological interest, they will receive policy protection as non-designated heritage assets (and subsequently added to the HER by Nottinghamshire County Council).

#### HISTORIC SETTLEMENTS & LOCAL CHARACTER AREAS

110. Many settlements within Newark and Sherwood have a historic core that can easily be identified, usually due to the presence of early structures such as medieval churches, manor houses or industrial sites (mills for example). Often these settlements contain tightly bound road patterns around the centre that survive to this date. Other than those of medieval date, other local character areas may also be of significance as heritage assets. Planned villages typically have strong group value, consistent and homogenous architecture and social significance. Good examples include estate villages such as Budby and Perlethorpe, colliery villages such as Blidworth, Clipstone, Edwinstowe, Ollerton and Rainworth, and industrial groups such as Maythorne which comprise mill buildings with associated cottages.
111. It is acknowledged that conservation area designation is the appropriate means of recognising defined areas of special interest. However, where those areas are not considered suitable for designation, it is still possible to consider the wider character and appearance of an area. The impact of development within early 20<sup>th</sup> century planned colliery villages for example where the HER has identified and mapped housing, education and facilities has been considered material for the last decade, with decisions reflecting on the impact of a proposal on the wider, homogenous character of those planned settlements. This type of identification needs to be based on robust understanding of significance.

#### LANDSCAPES

112. In addition to buildings and structures and areas of archaeological interest, many landscapes and landscape features exist that are of historic, archaeological and/or artistic interest.

113. Other landscapes and landscape features that may be identified include public parks, historic village greens, cemeteries, mill ponds, man-made lakes, historic field patterns and enclosures (Laxton Fields are of particular note), other water-management landscapes and features (such as weirs, feeder channels, etc), woodland (such as Sherwood Forest) and ancient paths and trackways.
114. In addition to being identified on the HER, many of these landscapes are also identified in Nottinghamshire County Council's Historic Landscape Characterisation (HLC) project. Those sites identified of significance on the HLC may provide context or setting to heritage assets.

#### LOCAL AND NATIONAL ARCHITECTS

115. Buildings and structures associated with notable or eminent architects might be capable of being proposed for designation. There is a wide-range of period architects and engineers with significance in the context of Newark and Sherwood District, including (but not exclusively):

Arthur Brown (City Engineer)	J.H. Hakewill
John Carr (of York)	Hurst and Moffatt
Ewan Christian	Thomas C. Hine
Watson Fothergill	Richard Ingleman
C. Hodgson Fowler	William Knight
James Fowler	L. E. Maggs (County Architect)

#### SOCIAL MOVEMENTS

116. Structures associated with social movements can have social significance. The Temperance movement which sought to ban the consumption of alcohol for example can be seen extensively in Nottinghamshire in the later 19<sup>th</sup> century, with temperance halls and hotels.

# Non-designated Heritage Assets

## CRITERIA

### HOW AND WHEN ARE NON-DESIGNATED HERITAGE ASSETS IDENTIFIED? | SIX

117. The most common way for identification is through a character study undertaken by the District Council's Conservation Team such as a Conservation Area Appraisal. Notwithstanding this, non-designated heritage assets outside of a conservation area boundary (either within its setting or nearby) are often considered when reviewing an existing conservation area as this may justify amending the boundary. It is the Council's intention however, to take a proactive approach and develop a Local Heritage List.
118. Other character studies may be undertaken for a particular purpose or to reflect a particular type of asset, such as parks and gardens, non-conformist chapels, early 20<sup>th</sup> century schools or 19<sup>th</sup> century bridges. These studies may be carried out by the District Council or the County Council (in its role as the custodian of the Nottinghamshire Historic Environment Record). The recent War Memorials Gazetteer is an example of this type of thematic study.

#### LOCAL HERITAGE LIST

119. There is a logical order for setting up and running a local heritage list which supports the selection Criteria by providing the processes and procedures against which assets can be nominated and their suitability for addition to the local heritage list assessed. A range of methods can be used to identify heritage assets, though no single method will produce a definitive local heritage list.
120. The Criteria is intended to give a robust framework in which to consider suitability for identification. It does not follow that every nomination will result in automatic identification. A rigorous assessment of each nomination is required with an individual report explaining why it does or does not meet the Criteria. Where practicable to do so, this will be shared for comment with the owner in the same way that Historic

England share draft list entries with owners prior to designation. The Conservation Team will take into account the views of owners where they relate to the architectural and historic significance of the heritage asset. Unless requested by the owner, however, this will not be necessary for assessments in which the threshold of identification has not been met in the opinion of the Conservation Team.

121. It is anticipated that this process will take at least three years<sup>21</sup>. At the end of this process, a Draft Local Heritage List will be submitted to Cabinet for adoption. This Criteria document will be updated at the same point to reflect the work undertaken. The Council will be able to update the List on an annual basis, with owners able to challenge inclusion at any time. The reports that underpin entries on the list will be available for scrutiny throughout the process.
122. It should also be noted that the identification of non-designated assets associated with a specific area may, in the future, contribute towards the designation of a conservation area, or amendment to an existing boundary.

#### POTENTIAL COMMUNITY-LED APPROACHES

123. With appropriate support from the Conservation Team, parish councils, together with local residents, are invited to survey their own settlements using the guidance contained in this document. Local communities may also wish to use the Criteria to assist in their formulation of a Neighbourhood Plan or to propose future conservation areas.
124. As set out in section 5, existing research publications are rich sources of information on potential local list candidates. In this context, the LPA is likely to be central to determining what is included on the list (provided that they can demonstrate that a building, structure or feature meets the criteria contained within this document). However, public nomination is welcomed, and will be a useful way in which to identify assets and has the added benefit of directly involving the community. Details of how to get involved and nominate potential heritage assets can be found on the Council's website. This process will feed into the formulation of a Draft Local Heritage List, and therefore identification of any potential assets will still need to be scrutinised by the Conservation Team and owners consulted in the same way as set out above.

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<sup>21</sup> A 3 year programme has been agreed with Members, and is set out in the March 2022 Economic Development Committee report.

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## ADDING TO OR CHALLENGING IDENTIFICATION IN THE FUTURE

125. Notwithstanding the local heritage listing process above, nominations for inclusion or removal from the Local Heritage List will be possible at any time, and can be made using the form at the back of this document or via the online questionnaire (the link is available on the Council's website or via the QR code in the appendix). This could include property owners, agents and developers wanting to challenge entries contained within the County Historic Environment Record. This will help provide clarity in the planning process<sup>22</sup>.
126. Other than using the suggested form, applicants can send an email or letter if preferred to the Conservation Team (using the contact details provided in section 9). Correspondence must contain sufficient information on how the building or feature meets or doesn't meet the Non-designated Heritage Asset Criteria.

## PLANNING PRE-APPLICATION SUBMISSIONS

127. During pre-application discussions, it may emerge that a site affected by a proposal meets the criteria for identification as a heritage asset as set out in this document. If this is the case, the developer or agent will be informed and may subsequently be encouraged to produce a heritage statement at the application stage.
128. This identification can be challenged as explained above. To avoid unnecessary cost to applicants in preparing Heritage Impact Assessments, where an applicant disputes the identification during the pre-application process, they may choose not to undertake the work without prejudice<sup>23</sup>.

## DURING APPLICATION

129. If no pre-application discussions have taken place and an application is submitted, it may emerge that the site affected may contain features or structures identified as a heritage asset, including features of archaeological interest. The developer or agent might be encouraged to submit a heritage statement at this stage. As above, the Council will seek to minimise cost to applicants. An appropriate report from the Conservation Team will be shared with the applicant explaining why the identification has been made and how it complies with the Criteria. Constructive dialogue between

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<sup>22</sup> For potential heritage assets with archaeological value, discussion will need to be conducted with the Council's relevant archaeological specialist.

<sup>23</sup> The Council is entitled to undertake its own appraisal in accordance with paragraph 195 of the NPPF.

parties will be encouraged. The applicant may wish to instruct their own independent advice.

# Non-designated Heritage Assets

## CRITERIA

### HOW DO I FIND OUT IF ANY NON-DESIGNATED HERITAGE ASSETS EXIST NEAR ME? | SEVEN

130. Once the Local Heritage List has been produced and adopted, it is anticipated that members of the public and developers will be able to easily access that information via the Council's website.
131. The Local Heritage List will also be shared on the Historic Environment Record (HER) held and updated by Nottinghamshire County Council (NCC). A project is currently being developed with NCC to ensure that data captured locally is compatible with HER digital archiving applications. However, spatial depictions and survey data will be clearly labelled as being part of the Newark and Sherwood District Council (NSDC) Local Heritage List. Existing HER entries concerning non-designated features not labelled as NSDC Local Heritage List will continue to comprise a discreet data set useful in understanding the historic environment, but not necessarily carrying the same weight in planning decisions.
132. The HER already identifies several types of heritage asset, both designated and non-designated. In terms of non-designated assets, those identified on the HER include unregistered parks and gardens, local interest buildings, archaeological areas and find spots. Numerous studies relating to these assets and more specific areas such as schools and bridges are also contained within the HER. The HER should always be consulted before any application is made that is likely to affect a heritage asset, as required under paragraph 194 of the NPPF.
133. Other than those features included in the Newark and Sherwood District Council Local Heritage List, other elements identified on the HER might also comply with the Criteria. However, some caution should be exercised in considering features on the HER that have not been scrutinised through an acknowledged criteria or accepted methodology.

# Non-designated Heritage Assets

## CRITERIA

### RESEARCHING SIGNIFICANCE AND SOURCES OF FURTHER INFORMATION | EIGHT

134. Many bodies, groups and societies produce information for specific periods or types of architecture and can be very useful for identifying heritage assets. Useful sources of information include:

Historic England [Historic England - Championing England's heritage | Historic England](#)

Nottinghamshire County Council [Heritage | Nottinghamshire County Council](#)

North East Midlands Photographic Record [Heritage Images content partner - The North East Midland Photographic Record \(heritage-images.com\)](#)

Picture the Past [Picture the Past – Historical Photo Archive of Derbyshire & Nottingham](#)

Inspire [Inspire | Culture | Learning | Libraries \(inspirepicturearchive.org.uk\)](#)

The Victorian Society [Victorian Society](#)

The Georgian Group [The Georgian Group | Promoting and protecting our Georgian heritage](#)

The Twentieth Century Society [The Twentieth Century Society – Campaigning for outstanding buildings \(c20society.org.uk\)](#)

Society for the Preservation of Ancient Buildings (SPAB) [Home | spab.org.uk](#)

Council for British Archaeology [Homepage Council for British Archaeology \(archaeologyuk.org\)](#)

Chartered Institute for Archaeologists [Welcome | Chartered Institute for Archaeologists](#)

The Gardens Trust [Homepage - The Gardens Trust](#)

The Association for Industrial Archaeology [The Association for Industrial Archaeology | Giving our past a future \(industrial-archaeology.org\)](#)

Institute for Historic Building Conservation (IHBC) [Welcome to the Institute of Historic Building Conservation \(IHBC\)](#)

Pevsner's architectural guides

Victoria County Histories

Heritage Gateway [HeritageGateway - Home \\*](#)

War Memorials Trust [War Memorials Trust](#)

135. Please note that the above list is not exhaustive and other organisations/groups may also prove useful.

# Non-designated Heritage Assets

## CRITERIA

### FURTHER ADVICE AND CONTACT DETAILS | NINE

136. The starting point for any proposal which potentially affects a heritage asset is to consult with the District Council's Conservation Team:

[conservation@newark-sherwooddc.gov.uk](mailto:conservation@newark-sherwooddc.gov.uk)

01636 650000

137. You may also wish to consult the relevant Conservation Area Appraisal, available on our website: [Conservation areas | Newark & Sherwood District Council \(newark-sherwooddc.gov.uk\)](#)

138. The County Council Historic Environment Record is also a good starting point for information: [Historic Environment Record \(HER\) | Nottinghamshire County Council](#)

**Appendix 1: Nomination/challenge proforma**

NEWARK & SHERWOOD DISTRICT COUNCIL LOCAL HERITAGE LIST NOMINATION OR CHALLENGE FORM	
Details of person making the nomination	
Name:	This form, together with relevant supporting information should be sent to:  <a href="mailto:Conservation@newark-sherwooddc.gov.uk">Conservation@newark-sherwooddc.gov.uk</a>  Or  Conservation Team, Castle House, Great North Road, Newark NG24 1BY
Address:	
Contact No:	
Email:	
Is this a nomination for inclusion on the List, or a challenge to remove an asset from the List? <b>Inclusion</b> or <b>Removal</b>	
Details of building/structure/feature (including archaeological sites, landscapes and landscape features)	
Brief description (e.g. Georgian townhouse, inter-war commercial building, non-conformist chapel, historic garden – please use asset types in Criteria for guide):          	
Address/post code/grid reference (if known, please indicate if occupied)          	

The following questions are important to support your nomination/challenge

1. How old is the main part of the building, feature, park or garden? Options include: Pre-1700, 1700-1840 (Queen Anne/Georgian), 1840-1910 (Victorian/Edwardian), 1910-1940 (Inter-war), Post-1940 (Modern).

2. What type of Interest does your nomination have?

*Archaeological, Architectural, Artistic or Historic.*

What element of significance does it have?

*Aesthetic appeal, association, integrity, rarity or representativeness.*

3. Is the building, structure or feature still recognisable as originally designed? Does it retain historic features and layout? Think about how intact the structure/feature is: completely intact/largely intact/partially intact/not intact at all.

4. Why, in your opinion, should the building or structure be included/not included on the Local Heritage List? Please answer using the Non-designated Heritage Asset Criteria. *Please provide as much information as possible to support your nomination. You may want to attach relevant photographs, maps and other information.*

If you require any assistance in completing this form or if you would like additional copies, please contact the Conservation Team on 01636 650000 or email [conservation@newark-sherwooddc.gov.uk](mailto:conservation@newark-sherwooddc.gov.uk). Please note that the form can be downloaded from the Council's web site at: <https://www.newark-sherwooddc.gov.uk/planning/heritageconservation/>

This form is also available in large print and where appropriate, other formats may be available upon request.

Your personal information will be handled by Newark and Sherwood District Council in accordance with the Data Protection Act 1998. Your information will not be disclosed to third parties. This page will not be displayed on our website but may be made available for public inspection at our offices.

