

Appendix 1Historic Environment SPD Summary of Representations received and Council's Response

<b>Barlborough Hospital Trust (Rep 1)</b>		
<b>1</b>	Some (potentially) harmful characteristics are not addressed in the document. Under Principles of Assessment (Conservation Areas) there is no reference to the potential for harm arising from any proposal that might itself introduce a new and audibly disturbing sound. Currently planning doesn't properly address the harm caused by new or intrusive sounds from proposed developments. Technical noise reports focus on decibel levels and charts, but this misses how people actually experience noise; through disturbed sleep, stress, and loss of quiet enjoyment at home, especially now that many work from home. The distinction between 'sound' and 'noise' is often overlooked, and as a result, the real-world impact on residents is under-recognised. Noise should therefore be treated as a core consideration in all applications for development, including those in Conservation Areas.	<p><b>Response:</b> The document focuses on the impact of development on the fabric, setting and historic importance of the districts heritage assets. It does not contain detailed guidance on noise, because noise is not normally considered a defining element of "significance" in heritage terms. Conservation Area designation does not automatically raise the threshold for noise impacts. In those circumstances where tranquillity is a clearly defined and evidenced part of the area's special character, this would be evaluated by the Council when considering the impact of the development and whether that caused 'harm'.</p> <p><b>Action:</b> No action taken, considerations relating to noise are outside of the scope of this document.</p>
<b>The Coal Authority (Rep 2)</b>		
<b>2</b>	We note that this current consultation relates to an SPD for Historic Environment and I can confirm that we have no specific comments to make on this document.	<p><b>Response:</b> Not required</p> <p><b>Action:</b> Not required</p>
<b>Derbyshire County Council Highways Authority (Rep 3)</b>		
<b>3</b>	The Historic Environment SPD doesn't really impact on DCC Highways so no comment.	<p><b>Response:</b> Not required</p> <p><b>Action:</b> Not required</p>

Derbyshire County Council Conservation Officer (Reps 4 - 13)	
<b>4</b>	<p><b>General observation:</b> Chapter 4 ('listed buildings') and chapter 6 ('historic parks and gardens') refer at length to the selection criteria and grade classification for each asset type. This is not directly relevant to an SPD. Chapters 6 and 9 do not contain any supplementary planning advice and may be omitted. You may wish to prepare a separate document or documents containing procedural and other advice.</p>
	<p><b>Response:</b> we would disagree with this stance. Providing such context fulfils the aim of this SPD to enhance overall knowledge of the district's historic environment. In doing so the aim is to inform an understanding of <u>what</u> makes the historic assets in the district special, which helps to explain <u>why</u> certain protections exist and <u>how</u> change can be managed positively.</p> <p><b>Action:</b> No action taken.</p>
<b>5</b>	<p><b>General Observation:</b> You should be satisfied that chapters 5 and 8 reflect Historic England's standing advice about "Adapting traditional farm buildings" and "The setting of heritage assets" respectively.</p>
	<p><b>Response:</b> agreed that these chapters would benefit from the additional information provided by referencing Historic England (HE) Guidance.</p> <p><b>Action:</b> An additional paragraph inserted in chapter 5 to reference the HE guidelines as below.</p> <p>5.9 Historic England has produced a number of advice documents on the adaptation of and reuse of agricultural buildings. They explain how significance can be retained and enhanced through well-informed maintenance and sympathetic development, provided that repairs, design and implementation are carried out to a high standard.</p> <p><a href="#">Adapting Traditional Farm Buildings - Best Practice Guidelines for Adaptive Reuse   Historic England</a></p>

		<p><b>Action:</b> An additional paragraph inserted in chapter 8 to reference the HE guidelines as below</p> <p>8.7 Historic England has produced guidance on managing change within the settings of heritage assets, including archaeological remains and historic sites.</p> <p><a href="#">The Setting of Heritage Assets - Historic Environment Good Practice Advice in Planning: 3 (2nd Edition)   Historic England</a></p>
<p><b>6</b></p>	<p><b>Preface, introduction and description:</b> The government published a draft revised NPPF in December. References in your preface to the national policy context may not reflect the draft revised NPPF. For example, the draft revised NPPF omits reference to the phrase “less than substantial harm”.</p> <p>Harm to the significance of a heritage asset requires clear and convincing justification. Substantial harm must be necessary to achieve substantial public benefits.</p>	<p><b>Response:</b> The draft revised NPPF 2025 is not yet formally adopted. Procedurally we cannot anticipate its adoption and the final contents therein. At the time of the proposed adoption of the Historic Environment SPD, the NPPF of 2024 upon which it is based will remain the extant Government guidance.</p> <p><b>Action:</b> no change</p>
<p><b>7</b></p>	<p><b>Preface, introduction and description:</b> Paragraph 2.20 refers to “sources of stone for building using magnesian limestone”. The SPAB advises against the “trade in salvaged materials”, because it “encourages the destruction of old buildings”. In offering your summary advice, you should be satisfied that it would be feasible to source “stone of the appropriate geological type, colour and texture” without relying upon salvaged materials.</p>	<p><b>Response:</b> agreed that the SPAB advice should be included.</p> <p><b>Action:</b> additional text added to the end of paragraph 2.24 as below.</p> <p>“...The Society for the Preservation of Ancient Buildings [SPAB] advises against the ‘trade in salvaged materials’, because it encourages the</p>

		destruction of old buildings. Building owners/builders should be satisfied that it would be feasible to source stone of the appropriate geological type, colour and texture without relying upon salvaged materials.”
<b>8</b>	<b>Conservation areas:</b> The NPPG specifies which applications “must be accompanied by a design and access statement”. Your requirement for a design and access statement “where new development is proposed in a conservation area” exceeds the national specification. A design and access statement would be required for all forms of householder development, including development subject to an article four direction. You should be satisfied that this approach would be proportionate.	<b>Response:</b> agreed.  <b>Action:</b> References to the design and access statement removed.
<b>9</b>	<b>Conservation areas:</b> Please omit reference to <i>Building in context: New development in historic areas</i> . The document is 25 years old; it predates both the NPPF (2012) and the National Design Guide (2019).	<b>Response:</b> agreed that the reference is out of date.  <b>Action:</b> reference to ‘Building in Context: New development in historic areas’ removed from paragraph 3.15.
<b>10</b>	<b>Conservation areas:</b> You require “certain details” to be incorporated in new buildings “designed in a traditional form”. This requirement should be applied flexibly. Bargeboards may be an expression of local character and distinctiveness ( <a href="#">link to example</a> ); a blanket restriction upon their use would be undesirable.	<b>Response:</b> agreed that references to barge boards should be amended to reflect their historic use.  <b>Action:</b> An additional bullet point added to paragraph 3.13  Appropriately designed traditional fascia and barge boards where they are considered to contribute to local distinctiveness.

11	<p><b>Listed buildings:</b> The DCMS <i>Principles of selection for listed buildings</i> (2018) say: “From 1700 to 1850, most buildings that retain a significant proportion of their original fabric are likely to be regarded [as being] of special interest”. I do not understand why you refer to a date threshold of 1840 instead.</p>	<p><b>Response:</b> This was an oversight. 1840 was used as the key date in the older listing guidance upon which this SPD was first based.</p> <p><b>Action:</b> date changed in paragraph 4.6</p>
12	<p><b>Listed buildings:</b> An occupier of premises owes the “common duty of care” to all their visitors, under the Occupier’s Liability Acts 1957 and 1984. The owner of a listed building does not have a duty of care to look after it. You have legal powers under sections 48 and 54 of the 1990 Act, as per your paragraph 4.41.</p>	<p><b>Response:</b> Accepted that owners of listed buildings are not under a general <u>legal</u> duty to keep a listed building in good repair.</p> <p><b>Action:</b> Reference removed from the start of paragraph 4.44</p>
13	<p><b>Archaeology:</b> Chapter 7 refers erroneously to “extensive urban area surveys”; they are extensive urban surveys.</p>	<p><b>Response:</b> A previous error in the 2006 SPD that was incorporated into this update.</p> <p><b>Action:</b> Reference changed in Paragraph 7.22</p>
<b>Historic England (Reps 14-38)</b>		
14	<p>Section 2 on local distinctiveness is interesting and a positive inclusion in the text. The Summary section is very brief, and it would be more beneficial if the Council developed this section to include further specifics on how applicants can ensure their proposals respect the local distinctiveness of the area. We are supportive of the advice contained within the Summary.</p>	<p><b>Response:</b> agreed that this is necessary and appropriate across all of the types of heritage assets covered in the document.</p> <p><b>Action:</b> A text box outlining <b>Core Principles</b> added to the end of Chapters 2-8</p>
15	<p>We recommend expanding paragraph 3.3 to provide some additional detail on what information is available within Conservation Area Appraisals and how this information can be utilised to inform planning proposals</p>	<p><b>Response:</b> agreed that this section would benefit from the additional information</p> <p><b>Action:</b> additional paragraph as below</p>

		<p>3.4 The Conservation Area Appraisals all follow a clear, consistent structure. Each appraisal begins by explaining the purpose of the conservation area and the policy context, then sets out the area’s location, historical development and the features that give it special architectural or historic interest. They analyse character in detail, looking at buildings, materials, street patterns, views, open spaces and landscape features, and often divide the area into smaller character zones.</p>
<p><b>16</b></p>	<p>Paragraph 3.5/6 include some additional detail regarding settlement patterns and how to respect them in new development. It would be beneficial to include photographs/ images to expand upon the written information.</p>	<p><b>Response:</b> this is mentioned under Core Principles, anything more prescriptive including photographs would be more appropriate as part of a Design Code.</p> <p><b>Action:</b> No change</p>
<p><b>17</b></p>	<p>Expand upon section 3.7 to set out additional detail about what needs to be considered. There should be a reference to listed buildings/ locally listed buildings incorporated into this section too. The section would also benefit from photographs/ images.</p>	<p><b>Response:</b> agreed that further information relating to Article 4 properties would benefit this section. Information on listed buildings and locally listed buildings in conservation areas including illustrations is included in the individual Conservation Area Character appraisals.</p> <p><b>Action:</b> paragraph and link added as below</p> <p>3.10 For those residential buildings that are covered by an <b>Article 4 Direction</b> certain “permitted development rights,” have been removed, meaning that works which would normally not require planning permission, such as small extensions, changes to</p>

		<p>windows and doors, or alterations to roofs must instead go through the planning process so that the council can protect the special character of the area, building or landscape. See link below to check if a property is covered by an Article 4 Direction</p> <p><u>Article 4 Directions</u></p>
18	<p>Paragraph 3.8 we are supportive of the reference to the County Archaeologist. Where there is the opportunity for any archaeology to be affected by new development then this should require a desk-based assessment and a field evaluation where required.</p>	<p><b>Response:</b> agreed that this section would benefit from the additional information</p> <p><b>Action:</b> text added to the end of paragraph 3.13 as below.</p> <p>Where there is the opportunity for any archaeology to be affected by new development then this should require a desk-based assessment and a field evaluation where required.</p>
19	<p>Section 3.9/10 may be more appropriately cited in its own sub-heading.</p>	<p><b>Response:</b> Agreed that this would be more legible.</p> <p><b>Action:</b> separate section on 'Spaces' inserted after paragraph 10.</p>
20	<p>Paragraph 3.12 is supported. This should include reference to using Conservation Area Appraisals and Management Plan, as well as utilising the local Historic Environment Record to understand any existing heritage assets and heritage features.</p>	<p><b>Response:</b> agreed that this section would benefit from the additional information</p> <p><b>Action:</b> text and link added to paragraph 3.15 as below.</p> <p>The Conservation Area Appraisals and Management Plans produced by the Council will provide a good</p>

		<p>starting point when considering design. The local Historic Environment Record <a href="#">Home - Derbyshire Historic Environment Record</a> published by Derbyshire County Council can also help in the understanding of any existing heritage assets and heritage features.</p>
<p><b>21</b></p>	<p>The principles of assessment are broadly supported. We recommend that a point 11 is included for the final point to have its own entry. The assessment should be clear that it will consider the specific details and character of the Conservation Area in question including specific assessments and evidence base and that any new development should also seek to better reveal the Conservation Area and seek enhancements. The assessment should be utilised for applications within the boundary of the Conservation Area and also outside of it, but where the development may impact the Conservation Area.</p>	<p><b>Response:</b> requested clarification from the respondent as unclear what was meant. Response not yet received.</p> <p><b>Action:</b> no change</p>
<p><b>22</b></p>	<p>Section 4.2 would be enhanced with additional detail or an Appendix about the listed buildings within Bolsover area. It would also be useful to include photographs/ images of some of the principal assets of the area</p>	<p><b>Response:</b> agreed that this is appropriate to set the context for the district's listed buildings. Photographs of some of the principle assets are used as section dividers. Although more images can be helpful, the SPD's purpose is to provide clear written guidance.</p> <p><b>Action:</b> additional paragraphs added to the introduction to Chapter 4 Listed Buildings as below.</p> <p>4.1 Listed buildings are an important part of the cultural heritage of the district. They give communities a unique identity and a sense of place, connecting present generations to the past, contributing to cultural heritage and architectural</p>

		<p>quality. Historic buildings can also provide significant economic, educational, and environmental benefits, boosting tourism, creating jobs, teaching history, and promoting sustainable building practices.</p> <p>4.2 Listed buildings across Bolsover reflect a rich and varied heritage, ranging from nationally important Grade I landmarks such as Bolsover Castle to a wide collection of Grade II* and Grade II structures that have characterised the district's towns and villages over the centuries. They encompass major landmarks such as parish churches, vernacular cottages, farmhouses, shops and schools, as well as significant elements of the area's industrial heritage such as New Bolsover Model Village and former textile mills, all contributing to the district's strong sense of place. Their architectural character spans medieval origins, 17th century craftsmanship and Victorian development.</p> <p><b>Action:</b> similar summaries also added into the introductions to Chapters 3, 5, 6 and 7.</p>
<p><b>23</b></p>	<p>It would be useful if the SPD relates to the significance of heritage assets and provides some additional detail regarding this issue. The National Planning Policy Framework sets out to conserve and enhance the significance of heritage assets and as such the SPD would benefit from including these terms. Additionally, the setting of heritage assets where it contributes to significance should be protected. This could be in a section at the beginning of the SPD and then just reference the significance of heritage assets in relevant areas.</p>	<p><b>Response:</b> the links included by the respondent are already included in the SPD.</p> <p>On page 57</p> <p><a href="https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/">https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/</a></p>

	<p>I attach a link to our document Historic Environment Advice Note 12: Statement of Heritage Significance will provide some additional detail on this.  <a href="https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/">https://historicengland.org.uk/images-books/publications/statements-heritage-significance-advice-note-12/heag279-statements-heritage-significance/</a></p> <p>I further attach our document Good Practice Advice Note 3: The Setting of Heritage Assets  <a href="https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/">https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</a></p> <p>This information could benefit from amendments under the 'alternations section'. For example, to discuss significance rather than character and how to frame setting.</p>	<p>On page 50</p> <p><a href="https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/">https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/</a></p> <p>The general guidance to which the respondent alludes is also included within the chapters of the SPD. The respondent is suggesting that the SPD is set out in a different way. It is considered that this is not necessary.</p> <p><b>Action:</b> No change</p>
24	<p>We support the references in paragraph 4.12.</p>	<p><b>Response:</b> acknowledged. This is paragraph 4.14 in the final document.</p> <p><b>Action:</b> Not required</p>
25	<p>Historic fixtures is a useful inclusion in the document and would benefit from some photographs/images to expand on what is meant in the text</p>	<p><b>Response:</b> Internal fixtures and fittings vary considerably between buildings. There are copyright and access constraints associated with photographing private interiors. Generic photographs would not accurately reflect the specific character or historic development of buildings in this district, so including non-representative images could be misleading.</p> <p><b>Action:</b> No change</p>

<b>26</b>	Section 4.20 should also relate to significance	<p><b>Response:</b> agreed that it should be included for completeness.</p> <p><b>Action:</b> reference to 'significance' added to paragraph 4.24</p>
<b>27</b>	<p>We welcome the useful information included in Section 4 and the reference to relevant Historic England advice.</p> <p>The section could also discuss non designated heritage assets such as locally listed buildings and a local list if Bolsover Council has / is preparing one</p>	<p><b>Response:</b> agreed that this section would benefit from the additional information</p> <p><b>Action:</b> paragraph added as below</p> <p>4.10 Bolsover District Council has identified a number of buildings and structures that, whilst not nationally considered suitable for statutory listing are considered to be of sufficient local historic or architectural importance to warrant retention and protection (unlisted buildings of merit). An unlisted building of merit is a building considered to be of special interest, because of its local historic, architectural, design or townscape value. These buildings are not graded. The Council has compiled a list of these assets whilst preparing <a href="#">Conservation Area</a> Appraisals but there are no individual entries. The Council does not maintain a Local List.</p>
<b>28</b>	Paragraph 4.41 amend to 'Historic England'.	<p><b>Response:</b> this was an oversight on updating the document</p> <p><b>Action:</b> name updated in paragraph 4.45</p>

29	<p>We welcome the inclusion of Section 5 as a locally specific issue for Bolsover Council. Historic England have prepared some information on Historic Farmsteads which may also be relevant for this section. I attach the link below:</p> <p><a href="https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/">https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/</a></p>	<p><b>Response:</b> agreed that this section would benefit from the additional information</p> <p><b>Action:</b> additional paragraph and link included as below</p> <p>5.31 Further useful guidance can be found in an Historic England document on Historic Farmsteads.</p> <p><a href="https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/">https://historicengland.org.uk/advice/caring-for-heritage/rural-heritage/farm-buildings/</a></p>
30	<p>Paragraph 5.8 could also include the layout of the buildings and their relationship to each other.</p>	<p><b>Response:</b> the layouts of historic farmsteads and significance are included in the Historic England Guidance signposted after paragraph 5.9</p> <p><b>Action:</b> No change</p>
31	<p>As referenced before, Section 5 would benefit from photographs/images.</p>	<p><b>Response:</b> This is one of a number of suggestions to include photographs; however, including photographs would significantly increase the size and complexity of the SPD without materially improving its function as a planning guidance document.</p> <p><b>Action:</b> No change</p>
32	<p>Section 6 re-name as 'Registered Parks and Gardens'.</p>	<p><b>Response:</b> acknowledged that this is the widely accepted abbreviation</p> <p><b>Action:</b> text changed on photograph chapter marker and heading 6.0 on page 39.</p>

<p><b>33</b></p>	<p>There should be a paragraph about what happens if applications are received which affects the significance, including the setting of Registered Parks and Gardens.</p>	<p><b>Response:</b> a paragraph to further reinforce the weight of consideration given to proposals affecting the significance of a heritage asset is considered an appropriate response to this point.</p> <p><b>Action:</b> additional paragraph as below</p> <p>9.26 If a proposal harms a heritage asset, the planning system treats that harm as a major constraint. It must be minimised, fully justified, and outweighed by strong public benefits.</p>
<p><b>34</b></p>	<p>Section 7 should also cover unknown archaeology that could be of national importance.</p>	<p><b>Response:</b> agreed that this was an omission</p> <p><b>Action:</b> new subsection added as below.</p> <p><b>Unknown archaeology that could be of national importance</b></p> <p>7.27 Buried archaeological remains that have not yet been discovered but may survive below ground in areas with known historic activity. These remains could turn out to be as significant as scheduled monuments, meaning they would merit the highest level of protection if found. Because their exact nature and extent are unknown, the planning system takes a precautionary approach: developments in areas with archaeological potential may require surveys, assessments or trial trenching to determine whether important remains exist. If nationally important archaeology is discovered, it must usually</p>

		be preserved in situ, and development may need to be redesigned or restricted to avoid harm.
<b>35</b>	Section 7.4 is useful and could be included earlier in the document to relate to all areas of the historic environment.	<p><b>Response:</b> Given the layout, there was no obvious place earlier in the document where this could also be included.</p> <p><b>Action:</b> No change</p>
<b>36</b>	Section 7 could be more specific about what happens when applications are received which could affect the significance of heritage assets. Will these schemes be resisted? Will avoidance and minimisation measures be sought? What level of assessment detail will be required. We would recommend including a desk-based assessment, including a field evaluation by an appropriate qualified professional. The references in the various paragraphs could offer a uniform approach to assessment and provide some additional detail about what information assessments should provide. Additionally, photographs/images could be helpful to set the scene for what the written context is about.	<p><b>Response:</b> this information is available in Planning and Archaeology, Historic England Guidance Note 17. As previously stated regarding photographs, including photographs would significantly increase the size and complexity of the SPD without materially improving its function as a planning guidance document.</p> <p><b>Action:</b> link below added to the guidance after paragraph 7.26</p> <p><a href="https://historicengland.org.uk/images-books/publications/planning-archaeology-advice-note-17/heag314-planning-archaeology/">https://historicengland.org.uk/images-books/publications/planning-archaeology-advice-note-17/heag314-planning-archaeology/</a></p>
<b>37</b>	We have already attached our advice notes relating to significance and setting above if useful. We are supportive of the key elements within this section, and it is crucial that new development aims to avoid and then minimise harm to the historic environment. It should also seek enhancement opportunities to better reveal the significance of heritage assets. It should be clear that the Council will expect heritage	<p><b>Response:</b> although referenced in paragraph 8.24 in relation to Chapter 8 Setting, it is agreed that it is appropriate to restate this in Chapter 9 Applying for Consent, with the added statement of resisting development that does not align with the SPD .</p> <p><b>Action:</b> new paragraph added as below</p>

	<p>assessment and resist development that does not align with this SPD.</p>	<p>9.21 It is crucial that new development aims to avoid and then minimise harm to the historic environment. It should also seek enhancement opportunities to better reveal the significance of heritage assets. the Council will expect a heritage assessment to be undertaken and resist development that does not align with this SPD.</p>
<p><b>38</b></p>	<p>When discussing the section relating to ‘Heritage Impact Assessments’ it is important that this reflects the key issues discussed elsewhere in the document and clearly sets out when there is an expectation for a Design and Access Statement, when there is a need for a Heritage Impact Assessment, when there is a need for an Archaeological Assessment and whether that is a desk based or field evaluation. All assessments should describe the significance of the asset and how the development contributes/ affects the significance and how any design measures have been incorporated to avoid/ minimise harm. A heritage assessment will be required when there could be an impact to the significance of a heritage asset – designated or non-designated.</p> <p>Any assessment undertaken will also need to include an evaluation of harm and then how that harm can be avoided and minimised through the design considerations. Whilst the Council can then undertake their own evaluation of harm, it is important that the applicant includes this information as part of their assessment.</p>	<p><b>Response:</b> this guidance to applicants is set out in the Local Validation Checklist which is referenced in paragraphs 9.7 and 9.8 with a link to the Council’s webpage. Additional text could further clarify the requirements relating to the need to provide a Statement of Significance and the proper consideration of harm.</p> <p><b>Action:</b> new paragraphs added as below</p> <p>9.15 A heritage assessment will be required when there could be an impact to the significance of a heritage asset, designated or non-designated.</p> <p>9.22 Any assessment undertaken will also need to include an evaluation of harm and then how that harm can be avoided and minimised through the design considerations. Whilst the Council can then undertake their own evaluation of harm, it is important that the applicant includes this information as part of their assessment.</p>

**Natural England (Rep 39)**

<b>39</b>	Whilst we welcome this opportunity to give our views, the topic of the Supplementary Planning Document does not appear to relate to our interests to any significant extent. We therefore do not wish to comment.	<b>Response:</b> Not required <b>Action:</b> Not required
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