



South Cambridgeshire Local Development Framework

**Biodiversity  
Listed Buildings:  
Works to or affecting the setting of  
Supplementary Planning Documents**

**Statement of Consultation**

**July 2009**

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## 1. INTRODUCTION

- 1.1 This statement has been developed to provide information relating to how the representations received to the following Supplementary Plan Documents (SPD) have been considered in accordance with Town & Country Planning (Local Development) (England) Regulations 2004 - Regulation 18(4):
- Biodiversity
  - Listed Buildings: Works to or affecting the setting of
- 1.2 The SPDs have also been subject to Sustainability Appraisal. The Sustainability Appraisal and Strategic Environmental Assessment (SA / SEA) has been undertaken in parallel with the preparation of the SPDs, so that sustainability considerations have been identified at an early stage and reflected in their content.
- 1.3 A Sustainability Appraisal Scoping Report Addendum has been prepared for the Listed Buildings SPD, and subject to consultation with statutory bodies (English Heritage, Environment Agency and Natural England). The Addendum forms part of the South Cambridgeshire Sustainability Appraisal Scoping Report (January 2006), and provides a framework for the Sustainability Appraisal. A Scoping Report Addendum was not produced for the Biodiversity SPD as it was felt the existing Sustainability Appraisal Scoping Report was sufficiently detailed to cover it; the statutory bodies did not disagree with this approach.
- 1.4 The preparation of the SPDs has been subject to public participation in accordance with Regulation 17.
- 1.5 This statement sets out the following information for the public consultation:
- A summary of the main issues raised in representations received during the public consultation; and
  - How these issues have been addressed in the SPDs.

## 2. CONSULTATION OVERVIEW

- 2.1 A six-week period of public consultation on the SPDs and their associated Sustainability Appraisals took place between 27 February and 14 April 2009. The Council set up an interactive website to assist access to the documents and to facilitate making responses online.
- 2.2 A total of 155 representations were received on the SPDs. No representations were received to the Sustainability Appraisals. The breakdown of these representations is shown in the table below.

### **Breakdown of representations received to the SPDs:**

<b>SPD Support</b>		<b>Object</b>	<b>Total</b>
Biodiversity	5	111	116
Listed Buildings	8	31	39

### **Summary of the main issues raised to the Biodiversity SPD:**

- Suggested text be amended slightly to reflect rather than repeat the requirements of PPS9
- Seeking clarification of the differences between the SPD and Biodiversity Strategy and their relationship as council documents
- Suggested clearer links to further information relating to protected species
- Suggested refinement of when Priority Species Survey and Assessment is required for clarity
- Suggested amendments to Tables 1 & 2
- Suggested refinement of the development guidelines
- Suggested refinement of the set of Biodiversity Issues, particularly:
  - Biodiversity Issue 3 (mitigation and compensation)
  - How biodiversity gain is to be achieved
  - Ensuring that the expectation placed upon applicants is not unreasonable
  - Clarification of Priority Species, Priority Habitats and Protected Species issues
  - Ensuring that Biodiversity Issues are not confused with, or repeat, policy
- Suggested refinement of the text relating to the registration process
- Suggested refinement of the “triggers” for Site Assessment and Survey
- Need for more focus on biodiversity benefits of SUDS
- Need to bring forward the Countryside Enhancement Area and Wildlife Corridor map from the Biodiversity Strategy

### **Summary of the main issues raised to the Listed Buildings SPD:**

- Seeking confirmation that the previously adopted Thatching Guide would form part of the Listed Buildings SPD
- Concern over the impacts of works on biodiversity including habitats for protected species such as bats and owls
- Suggested improvements on consultation, distribution and updating of the document
- Questions about the overall purpose, intended audience, tone, structure and degree of detail
- Concern about the relationship to national law, policy and guidance and whether the SPD has to reflect these

**How these issues have been addressed:**

- 2.3 The following schedules for each SPD provide a summary all of the representations received in plan order together with any suggested change to the text of the SPD, the Council's assessment of them and, where appropriate, proposes amendments to the text of the draft SPDs.
- 2.4 There are no amendments proposed to the Sustainability Appraisals, as the changes to the SPDs are relatively minor, in the main providing further detail or clarification rather than altering the policy approach.
- 2.5 The proposed changes to the SPDs and their impact on sustainability have been considered by the Council at a meeting of Cabinet on 2 July 2009 as part of the process of formally adopting the revised SPDs.

# *Listed Buildings: Works to or affecting the setting of Supplementary Planning Document*

## *Public Participation Report*

Chapter 1 Introduction to the Supplementary Planning Document and Legislative Policy

1.1

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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### *Chapter 1 Introduction to the Supplementary Planning Document and Legislative Policy*

*1.1*

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23424 - Mr John Mercer [10308]	Object	<p>The document would benefit from re-structuring. Items and issues which do not change and which are governmental law should be in the planning document body (top) - which document will be approved by the stakeholders and elected officials. All items which are to do with "technical" advice, procedures and materials should be contained in subject matter appendices and these can thus be updated on a regular cycle. Therefore chapters 1 to 7 are the main (unchanging) body and items thereafter become schedules or appendices which can be upgraded regularly. The draft document is almost like this already and a little more clarity would benefit the reader and the review process.</p> <p>If the council wishes to write definitive technical craft articles then it should do so but these would require a lot more research and crafting and need to cover (for example):</p> <ul style="list-style-type: none"> <li>* What was done in the original building</li> <li>* What changes in taste took place over time</li> <li>* What influence did the changes in taste have on building techniques.</li> <li>* The hinterland influence on materials and techniques(e.g. fenland drainage etc)</li> <li>* Historic events and their effect (use of oak in warships)</li> <li>* Changing laws and building practices (windows acts etc)</li> <li>* What tools, techniques and materials still exist today</li> <li>* What are acceptable substitutes</li> <li>* Policies on recycle versus new</li> <li>* How are the tools and materials used to effect repairs or construction</li> <li>* What sources of advice or advisors</li> <li>* The capabilities of the council and its officers to assist</li> </ul>		<p>Comments noted and acknowledged.</p> <p>* The SPD is a thorough, but still general guide that outlines common best practice and illustrates the stance that South Cambridgeshire District Council takes on the various topics. Chapter I does stress that the document cannot be prescriptive and that as policy and legislative changes occur, the document can and will be updated as required. The debate over length and content was thoroughly discussed amongst the team and management. It was felt that in order to provide a comprehensive and useful document to a wide audience, some of which would be unfamiliar with relevant policy and legislation; it would be beneficial to include the significant sections within this SPD.</p> <p>* It is appreciated that the document has been reviewed in such detail. The SPD does attempt to speak to a very wide audience, some who may be fully versed in conservation related issues, and others who may be completely unfamiliar. As a result, it is felt that the document should provide guidance and assistance where possible and try to touch upon the most common concerns, challenges, questions, etc. that arise on a daily basis. A full understanding of any listed building is essential to inform any proposal and is supported by the Council. See SPD for further information about how to understand the building.</p> <p>* The document has been structured for general information to be in the first half of the document and the more detailed information is in the second half. The appendices include various key elements that are more specific. The table of contents and glossary should enable any person to locate the specific section they</p>	No change to SPD.

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23317 - Great Shelford Parish Council (Mrs Bridget Hodge) [3518]	Support	<p>A clear comprehensive document with good illustrations.</p> <p>Will you be informing all owners of listed buildings that this document exists once approved so that they can view it on line?</p>		<p>are looking for and if they cannot find it, they are free to contact the Council with any queries.</p> <p>Support noted.</p> <p>In reference to apple stores as a particular building type, there are not many of this type of building remaining in a reasonable condition to warrant their inclusion, but the comment is noted and appreciated.</p> <p>In reference to informing all owners of listed buildings, it is the intent to ensure that all owners, architects, estate agents, Parish Councils, and any other stake holders are aware that the document exists once it has been formally adopted by Council. The document will be widely available and promoted on the Council's website as well. In addition, the intention is for the document to be used to create short and simple brochures on a particular component of the SPD, for example, a brochure on windows or thatch to enable the Council to provide adequate advice and support to all.</p>	No changes to the SPD required.
23393 - Natural England (Ms Janet Nuttall) [6952]	Support	Natural England supports your authority's objectives to promote sustainable development and protect the historic built environment through the policies in this SPD.		Support noted.	No change.

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23360 - Cambridge Preservation Society (Ms Carolin Gohler) [2125]	Support	The Society welcomes the detailed documentation and improved protection of Listed Buildings in the local area and congratulate the officers on achieving such a detailed document.		Support noted.  Page 49 comments: comments noted, however, as the thatching document that has already been adopted is now being incorporated into this new SPD, it is felt that it should have its own chapter, which is almost an exact replica of the original (just reworked to suit the SPD). It is correct that the SPD will supersede the previous thatching policy.  Renewable energy/water turbines: South Cambridgeshire has not yet had any requests for water turbines. There are several water mills within the South Cambridgeshire District, however, few are in use or are capable of being used. The document is a working document and at such time as technology changes or policy and legislation changes, the document can and will be amended as necessary.	No changes to the SPD required.
23296 - Anglian Water Services Limited (Mick Galey) [10127]	Support	Fully support document, no comments to make.		Support noted.	No change.
23420 - Foxton Parish Council (Mrs Joan Burns) [1877]	Support	Foxton PC supports the Listed Buildings SPD.		Support noted.	No change.
23284 - Guilden Morden Parish Council (Mrs Gail Stoehr) [1145]	Support	Guilden Morden Parish Council accepts the Listed Buildings SPD as presented.		Support noted	
23319 - Cambridgeshire County Council (Mrs Wendy Hague) [5539]	Support	Cambridgeshire County Council welcomes the publication of this SPD particularly in relation to the section on Archaeology and the references made to the role of the County Historic Environment Team.		Support noted.	No change.

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23421 - Mr John Mercer [10308]	Support	In general the document is an excellent and much needed contribution to the protection of our listed buildings. Much solid work has been done and a new owner of a listed building would find this document invaluable.		Support noted.	No change.

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23428 - Mr John Mercer [10308]	Object	<p>What is the process for placing the document into operation - and what force should it have? - and what is the process for update and expansion where we learn more. (references to other standard council documents on the website is not a pragmatic answer - a document should be self sufficient and as stand-alone as possible)</p> <p>There are implications in the document that it will be enacted retrospectively. This need clarification. (No retrospective consent implies retrospective enactment but with no clear plan as to how these facts will be communicated to owners except when it is too late. See page 33/34 point 7.6) The point will also scare owners away. Who would buy a listed building with that hanging over them?</p> <p>Is it really an offence if it has not been prosecuted and tried? It might be a potential offence but to suggest that it remains in perpetuity is not going to encourage the right outcomes.( Does it apply through successive owners for example?)</p> <p>If works that have already taken place can never be authorised then defaulting owners will hide them. Again - not a great outcome.</p> <p>The word "regularization" (spelled incorrectly in the document) is not helpful. It might mean: Bring into conformity with rules or principles or usage; impose regulations (not a meaning that is obvious from the use of the word. If that is the case - if the issue or infraction is brought into line with rules then it must logically then be permitted and consented to. Note - In the Oxford English Dictionary it merely states: to make regular.</p>		<p>Comments noted.</p> <p>* Members will consider the representations received, our responses to them, together with any proposed amendments to the SPD before adopting the SPD. Being adopted as SPD means it becomes one of a suite of documents that make up the LDF. SPD amplify and provide further detail on policies in the LDF and are a material consideration when determining planning applications, alongside other local and national legislation. An SPD can be reviewed at any time, but would have to go through the whole statutory process again (which obviously has resource implications).</p> <p>* The SPD will eventually become formally adopted as part of the LDF and will be used when determining listed building applications for consent, along with other local and national policy and legislation. The process of updating the document will be based upon several factors, namely changes to the existing legislation (PPG15 and16 into one PPS) and also the Heritage Protection Act/Bill if and when it comes into practice. The actual methods of how and when the document can be amended.</p> <p>* All applications are currently determined using the current policy and legislation both nationally and locally. Once the SPD has been formally adopted, the Council will begin using it in conjunction with applications. There are no plans for retrospective application of the SPD. If this query is referring to unauthorised works to listed buildings, the Conservation and Design team work very closely with the Enforcement Team and Development Control to ensure that any works carried out without the benefit of consent is addressed in the appropriate manner for</p>	No change to SPD.

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		Generally - in order to encourage the right actions by owners it may be more efficient to consider amnesty and retrospective permission - or at least a statement of neutrality (i.e. the sins of the past will be left to rest unless gross and flagrant abuses have occurred).		<p>that particular incident. Whether it warrants a letter, an enforcement notice or prosecution, the teams discuss these matters with the Legal department to ensure what is in the best interest of the public and the Council.</p> <p>* Yes, any unauthorized works to a listed building is a criminal offence, which can lead to prosecution. Any works undertaken to the building without the benefit of consent stay with the building and do not stay with the person responsible. Therefore, any person purchasing any building should ensure that their solicitor makes the appropriate enquiries to ensure all works have been approved. It is not something that the Council has any control over, it is the national guidance and policy. However, the Council does not necessarily seek to prosecute all owners where unauthorized works have taken place. In fact, the only cases that are taken to court are those which result in substantial damage and harm to the listed building resulting in the loss of historic fabric. A retrospective application to regularise the situation may be sought if the team could support the works undertaken. Based on the way the legislation has been written, unauthorised works remain an offence. The Council may not take action, but the works may be documented and placed on the building's inventory file. It is important to convey the serious nature of undertaking works to a listed building without informing the Council and communicating the reasons. For example, if there was a serious structural problem or concerns for safety, emergency works may be supported providing the owner communicates and works with the Council to ensure appropriate methodology and materials are used. Many owners and agents do not fully understand what is</p>	

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				<p>listed, why this matters, and what the need consent for. As a result, the document needs to provide a clear sense of what this all means. The specific document to refer to under section 9 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This outlines the situations where and when prosecution can take place and the various circumstances around it.</p> <p>* It is agreed that the Council should provide encouragement to all owners and agents. This is ongoing and continues through encouraging applicants to involve the Council early in any proposals to ensure the appropriate materials, methods, design, and approach are integrated. This service is currently free from the Conservation and Design team and the team are very willing to meet with people onsite, in the office, discuss proposals with colleagues, etc.</p>	
<i>1.5</i>					
23358 - Beacon Planning Ltd (Mrs Charmain Hawkins) [10111]	Object	In seeking to provide detailed technical information on a multitude of subjects, the document will date very quickly. Given its size it is unlikely to be updated quickly and therefore the value of covering such technical issues is questioned. Surely directing applicants and agents towards the most up to date guidance in these key areas, by way of references in the text, is adequate?		Comments noted and acknowledged. The SPD is a thorough, but still general guide that outlines common best practice and illustrates the stance that South Cambridgeshire District Council takes on the various topics. Chapter I does stress that the document cannot be prescriptive and that as policy and legislative changes occur, the document can and will be updated as required. The purpose of the document was agreed in the early stages of drafting it and it was felt that the advantages of a detailed document outweighed the disadvantages. The Council believes that it is helpful to owners and others to bring material together in one document.	No change.

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23434 - Mr John Mercer [10308]	Object	<p>How will this document be communicated to stakeholders including:</p> <ul style="list-style-type: none"> <li>* Builders and craftsmen</li> <li>* Architects and agents and "experts"</li> <li>* Home owners - indwelling and absent</li> <li>* Libraries</li> <li>* Internet.</li> </ul> <p>What is the process to capture amendments and re-publish the document from time to time.</p>		<p>Comments noted.</p> <p>* The SPD once formally adopted as part of the LDF and will be placed on our website for the public to view and download (it will be put on the website in manageable sections by chapter to enable easier download). Due to the nature of the homeownership constantly changing, it would seem impracticable to give a copy to every owner, which would also generate a significant cost implication to the Council. Copies will be available at the Council for review. Agents will be notified as possible, including through the regular meetings the Council hosts for all agents. It is hoped that the final version that is adopted as policy will be used to create small and simply brochures, which can be sent to anyone, for example, one for windows, or thatch. This should create a useful tool for consultations and advice to all.</p> <p>* See response in number 2 for comments on amending document.</p>	No change to SPD.

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23425 - Mr John Mercer [10308]	Object	<p>On the understanding that we need listed building owners to do the right thing and that there is not time or budget for officers of the council to "police" 2500 listed buildings then the tone of the document needs to encourage collaboration more. Some sections will be very frightening (see later comments on "offences") to owners who have had no engagement with the officers. Laying down the letter of the law is right and proper and the document might quote the law but then it should offer a gloss and interpretation to help the owner understand. Law - as it is written in the raw is very dense and abstruse. Owners will be driven to hide the work on their homes and make sure they never contact the officers unless the document is a little more gentle in its guidance.</p> <p>Recommendation</p> <p>The document should, in its tone and presentation, bear in mind the outcome required:</p> <p>a) Either: Enthusiastic listed building owners carrying out the right actions in dialogue and friendly agreement with the officers of the council leading to the preservation and enhancement of the listed building stock or: b) Owners who will make sure they never contact the council for help or advice and will therefore carry out works secretly and incorrectly or avoid them all together.</p> <p>Note 1 - adherence to process and law is not a meaningful outcome in itself but a means of achieving an outcome. Ticking boxes will not save the buildings</p> <p>Note 2 - Wide variety of would/should/could/may/must in the</p>		<p>Comments noted.</p> <p>* The Council do make a concerted effort to ensure that blatant disregard for policy is addressed. This takes place as a result of neighbour or Parish calls to the Council alerting us to a potential offence, Officers spotting potential offences as they drive throughout the district, Enforcement Officers spotting things, etc. Every attempt is made to ensure the heritage of South Cambridgeshire is well maintained and looked after within the natural constraints of the system.</p> <p>* There are some listed buildings and owners, which have very little planning history and have not worked with the Council in many years. Again, it is difficult to communicate with every owner. The onus is on the owner to seek advice and communicate with the Council, but best practice dictates that the Council should attempt to follow up where necessary and possible. It is not the intention to frighten people or discourage their involvement. There is a fine balance here and every attempt is made to create a positive environment within the Council in which owners can come to us with proposals or queries.</p> <p>* The Council is bound by the national and local legislation and policy and work within these confines. In addition, the Council works within the legal obligations that the Planning Acts dictate. There are occasions where the Council goes above and beyond what is statutorily required in providing our services. Adherence to the process is vital to ensure consistency and transparency. Everyone must be treated equally. As a result, the SPD attempts to provide sufficient information for all readers to assess their particular situation and if necessary contact the Council to</p>	No change to SPD.

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		document -better for clarity to sort them out.  Note 3 - Use of jargon and acronyms still rife. Also words like "curtilage" are not in common use and the word "grounds" does the same work except as content in a legal document.		discuss the matter further. The SPD is balanced and has to include the regulatory side of conservation including guidance and policy, i.e. prosecution and unauthorised works, because it is vital people understand the parameters of the system.  * There is a glossary at the end of the SPD, which includes most 'jargon'. It is helpful that everyone understands the terminology. From a legal or policy standpoint, different words may have different meaning to each person.	

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23422 - Mr John Mercer [10308]	Object	<p>There is a danger that where the document appears to go into detail, there is an implication that the details are full and final whereas in reality it is only a part of the story. Consultation would always be necessary</p> <p>An example of this potential for misunderstanding is the use of the word "Timber" in some sections in which no clear distinction between the various types of timber is made. It might appear to recommend new white pine being used (not suitable) or it could allow man-made timbers such as plywood and chipboard to be used - again not suitable. Further - it does not distinguish between deciduous and coniferous, local grown now, local grown in the past, imported in the past or indeed no longer available in the world. Quebec pine is no longer to be found but made up the bulk of "pine" for over 100 years. The state of the timber also matters. "Dried" and "seasoned" are not the same thing, the finishing of the timber (oils varnishes and paints), protections against insects (note - spiders cannot get into the timber to devour woodworm) all of which demand comment and guidance.</p> <p>The section on lime is much better but again it is not complete - it is possible to follow the schedule to the letter and still fail to repair a wall effectively.</p> <p>Recommendation</p> <p>Need to be clear as to whether the document is trying to be definitive or not. Is it a recipe book, a guide to the law and the owners obligations, a process guide or a reflection and enlargement of PPG 15? As it stands the level of knowledge contained varies from overview to technical treatise. Where something can</p>		<p>Comments noted.</p> <p>* It is agreed that this document cannot be prescriptive and all-inclusive of every situation. Chapter I clearly states this. It is agreed that consultation and communication is the best method to avoid confusion.</p> <p>* There is a glossary, which was created to assist those who may be unfamiliar with the terminology used in the profession. The use of the word timber is meant in a very general sense. There is no suggestion of any particular type of timber, as this varies significantly from building to building. Historically, oak was one of the most common timber used, however, the Council would never presume without understanding the particular building. The document is not meant to be prescriptive as every proposal is viewed based on its own merits and individual circumstances. The mention of any particular use of wood in any particular situation has been deliberately avoided. The comments are valid, but are not felt to be relevant to the overall intent of the SPD.</p> <p>* The same comments go for lime as well and in fact any material. The section on lime is to explain the virtues and benefits of using lime, which is a critical component in any historically built structure. The significance has implications in flexibility, breathability, etc. and was felt to be important to convey to the audience.</p> <p>* This SPD is intended to provide a strong basis for discussion and debate and indicate the Council's stance and interpretation of the national policy and guidance. It is impossible for the document to include everything about the</p>	No change to SPD.

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		be said - say it clearly - where it cannot then don't mislead with thin detail or incorrect advice.		field of conservation and should not do so. The main emphasis of the document is to address common and frequent queries that arise so that people can be well informed or at least knows where to seek additional guidance and information.  * The SPD must satisfy a number of different needs, including national requirements, local requirements, and must expand on local policies from the local development framework.	

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23423 - Mr John Mercer [10308]	Object	<p>The document too often reverts to having to consult the officers. The number of times this escape clause is used undermines the usefulness of the document and renders unusable the technical section. In other words there is little that the document would settle finally.</p> <p>Given that most people will make some repair of change to a home once in a five-year period , implies 500 queries applications and site meetings to manage in a year. Given that the council wishes all its 2500 listed home owners to do the right thing - it the council prepared for the outcome in work?</p> <p>The document needs to consider practical aspects and impact of enforcement and promulgation</p>		<p>Comments noted.</p> <p>* It is dangerous to assume one size fits all and the document reflects this. The best advice is to contact an Officer. That is the best way the Council can assist any person in all things conservation. The number of listed buildings and owners and agents who may wish to propose works varies year to year. The Council currently receives approximately 850 total applications a year, which include planning applications, listed building applications and conservation area consent applications. Listed building and conservation area consent applications total approximately 165 per year. In addition to works relating directly to applications, we currently deal with discharging conditions on previously approved applications, which vary from year to year, dealing with enforcement issues, appeals, advice and pre-application guidance in general, buildings at risk, war memorials, grants, etc. As a result, the nature of our workload is varied and full. The impact to workload as a result of stating in the SPD that owners should contact the Council is likely to be negligible in light of the above and is part of our job.</p> <p>* The Council works closely with all teams, including Enforcement, Policy/Appeals, Building Control/Building Regulations, Environmental Health, Growth Agenda/New communities, Development Control/Planning, etc. and each team communicates with each other satisfactorily. The document does provide some guidance in regards to these issues; see Chapter 6, Section 6.7 with specific guidance on Building Regulations and listed buildings.</p> <p>* This document provides a framework</p>	No change to SPD.

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				and best practice good advice. The Council prefers to work with owners to ensure a better understanding of what is required, which should lead to more successful applications.	
<i>1.8</i>					
23357 - Beacon Planning Ltd (Mrs Charmain Hawkins) [10111]	Object	<p>The document is far too lengthy and tries to cover far too many issues. Over half the document can be found in other documents:</p> <p>* Chapter 2 and 6 largely replicate the existing advice available in PPG15.</p> <p>* Chapters 9 and 12 are already covered in publications such as 'The Old House Handbook' (2008) and 'Old House Care and Repair' (2002).</p> <p>* Chapters 13, 14 and 17 are specialist topics which should be subject to separate stand alone guidance (but not SPD).</p> <p>* Chapter 15 duplicates the building types reports produced by English Heritage on a regional basis.</p> <p>* The most useful sections are Chapters 4, 5 and Appendix 1, which could be included in a far briefer document that covers the objectives set out in paragraphs 1.8 and 1.9.</p>		<p>Comments noted. The debate over length and content was thoroughly discussed amongst the team and management. It was felt that in order to provide a comprehensive and useful document to a wide audience, some of which would be unfamiliar with relevant policy and legislation; it would be beneficial to include the significant sections within this SPD. It is appreciated that the document has been reviewed in such detail.</p> <p>The purpose of this document was agreed in the early stages of drafting it and it was felt that the advantages of a detailed document outweighed any disadvantages. The Council believes that it is helpful to owners and others to bring material together in one document. Other consultees have welcomed this level of detail.</p>	No changes to the SPD.

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
<i>1.9</i>					
23356 - Beacon Planning Ltd (Mrs Charmain Hawkins) [10111]	Object	<p>As an overarching comment it is not clear why this document is necessary. Listed buildings are already subject to substantial control through primary legislation, PPG15 and the Council's own adopted Development Control Policies. For example in paragraph 1.9:</p> <p>1. Is dealt with by the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPG15;</p> <p>2. Should be dealt with in the Design and Access Statement of an application. Where there may be specific items of local interest, a simple 'guidance leaflet' could be prepared;</p> <p>3. Is dealt with by the Council's validation checklist. If this is considered inadequate the guidance notes should be updated; and</p> <p>4. Should be dealt with by a condition(s) on any consent.</p>		<p>Comments noted. The current LDF DCP that South Cambridgeshire District Council use are based upon the current national policy and legislation. These local policies have roots in PPG15 and PPG16, however, are not sufficiently explicit in regards to how South Cambs views the national policy and legislation, how the Council interprets the documents and what the Council seeks to advise all owners on. Supplementary planning documents are required to expand upon local policy, which is based upon PPG15. The local development framework is a brief outline of policy, whilst the SPD is the expanded version. PPG15 in and of itself is not policy, but is legislation.</p> <p>The SPD does attempt to speak to a very wide audience, some who may be fully versed in conservation related issues, and others who may be completely unfamiliar. As a result, it is felt that the document should provide guidance and assistance where possible and try to touch upon the most common concerns, challenges, questions, etc. that arise on a daily basis.</p>	No changes to the SPD.

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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## *Chapter 2 Buildings of Special Architectural or Historic Interest*

### *2.15*

23285 - Cambridge City Council (Ms Joanna Gilbert-Wooldridge) [10122]

Object

The comment 'generally only the front elevation' should be removed as it adds nothing to the document and weakens the description of what makes a Listed Building special.

The comment 'generally only the front elevation' should be removed as it adds nothing to the document and weakens the description of what makes a Listed Building special.

Comments noted. It was thought that this paragraph could inform the reader that the list description should not be relied upon as an all-inclusive statement.

To avoid confusion Section 2.15 will be amended to read:

The relevant section referred to is in regards to the statutory list description. The reference to list descriptions are mentioned in PPG15, Section 6.19 and states:

'The Statutory List includes a description of each building, which refers to some, but not necessarily all, important features of a historic building. This is for identification purposes only; protection covers the entire building and any object or structure fixed to it or within the boundaries of the building. Irrespective of a building's designated grade, every part the building is Listed, including the interior and any later alterations or additions. In addition, any building or structure within the curtilage (land) of the Listed Building, which although not fixed to the building, forms part of the land and has done so since before 1 July 1948, are treated as part of the Listed Building. Refer to PPG15, Section 6.19 for further information.'

List descriptions

6.19 The lists include a description of each building. This is principally to aid identification. While list descriptions will include mention of those features which led English Heritage to recommend listing, they are not intended to provide a comprehensive or exclusive record of all the features of importance, and the amount of information given in descriptions varies considerably. Absence from the list description of any reference to a feature (whether external or internal) does not, therefore, indicate that it is not of interest or that it can be removed or altered without consent. Where there is doubt, the advice of the local planning authority should be sought.

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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*Chapter 3 Caring for Listed Buildings*

*3.1*

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23433 - Mr John Mercer [10308]	Object	<p>Recognising the existence and status of current owners and users. They are not on the same scale as woodworm - an infestation of the building. They have not bought the building as an exhibition piece it is to be a home for them and the family. The document has accepted that, for example, central heating is a reasonable demand and permissible. There are other reasonable 21st century demands that an owner might make without compromising the history and longevity of a building. Conservatories are a good example as long as they are out of sight of the road. They might not be part of the original history of the building but they are a feature of the last 100 years. They benefit the aspect of the house through better thermodynamic performance, they protect that aspect of the building from the weather and are clearly not part of the original building - indeed they bear very lightly on the original structure. There are other examples of changes that a modern family might require and accommodation of these wishes would serve the long-term future of the building.</p> <p>If the planning rules are too strict people will not want to buy the buildings.</p>		<p>Comments noted.</p> <p>* Every owner has a different level of knowledge and understanding of the process and implications of owning a listed building. This includes everything from what works require consent to what level of change is appropriate to that particular building. The Council believes that its remit is to manage change within the context of the District's heritage assets. The amount of intervention will vary per building. This is based in the legislation that states that the individual needs of an owner must be secondary to the needs of the building. Owners come and go, but the works they undertake are a permanent mark on the building. Balancing these two needs is what Officers do on a daily basis. It is imperative that each proposal is viewed on its own merits.</p> <p>* There are many implications that Officers consider. These include scale, form, mass, design, materials, proportion, justification, impact on historic fabric and historic floor plan, visual impact, the wider context and setting of the listed building, its special architectural and historic significance, etc.</p> <p>* Allowing for modern living within an historic context is a constant challenge that Officers deal with on a daily basis. Again, PPG15 clearly states that any proposal for works to a listed building must be justified and evidence provided. That is the basis of review for any proposal put forward.</p> <p>* The arguments that people will not buy listed buildings unless they can make significant changes and that the buildings would sit empty and continue to deteriorate or that the building must have</p>	No change to SPD.

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
				<p>so many bedrooms or bathrooms to make it viable is noted, but is difficult to defend. As each building is different and unique, that argument cannot be an across the board overriding statement. There are usually people out there who do purchase listed buildings in their existing form and are more than happy to live in it as they are. It goes back to PPG15, which requires justification and evidence for any proposal. Owners come and go, but the listed building remains and it is the Councils remit to manage any change.</p> <p>* All proposals are assessed for impact to the character and setting of the listed building, including loss of historic fabric and the historic plan form. Changes that may be acceptable to a masonry Victorian building (which is around the time the concept of conservation began) may not be acceptable to a 16th century timber framed building. It is the Council's responsibility to ensure that all change is managed to all listed buildings.</p>	

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
3.6 23431 - Mr John Mercer [10308]	Object	<p>It would serve the overall outcome well to include thoughts and text on the future proofing of the building. An overarching consideration should be given to repairs that last the longest time as opposed to repairs that merely delay the rot. Example - it is not good practice to use metal reinforcement plates on rotting windows (although some sources believe otherwise) they create a trap for moisture, they create four new holes in the wood, they are not an original feature and spoil the look of the window and in some cases, iron in the proximity of oak is a disaster unless one understands the oak /iron tannin interaction.</p> <p>Recycling of bricks might not be a good idea. The only way to test a brick for solidity is to hit it at which point hidden damage might be done. Generally we should default to modern sympathetic materials that will be right for the long term and will be a clear modern work delineated as the document suggests. Use of recycled materials might also confuse the delineation of times in the house and will prevent future historians from reading the building correctly and runs the risk of becoming "pastiche."</p> <p>Advice and guidance on how to get the balance right would be of benefit.</p>		<p>Comments noted.</p> <p>* Most recommendations regarding works to any listed building include the need to fully understand the building to ensure the most appropriate method or materials or result is achieved. To that end, the causes of any problem should also be understood as opposed to only the symptoms being addressed. It is every Officer's intent to provide solutions that will last 100 years, not merely the cheap and cheerful version that may only last 5 years. However, the Council can place conditions on any applications that explicitly specify particular materials and methods to be used. Unfortunately, unless the conditions are formally discharged the Council is unaware of how the works have been undertaken.</p> <p>* The comments made are valid and the Council does not dispute them. However, it is a fine balance between following best practice guidance and ensuring that everyone conforms to that protocol. There are many ways to debate how 'honest' works should be or how they should be so integrated that it is not evident. This is reviewed on a case by case basis.</p> <p>* There is a potential for more historic fabric to be lost if longer term measures are implemented. As a result, the view may be to carry out short term repairs, i.e. a rotten timber frame around a window, cut and splice in some new timber. Some repairs can and should be considered sacrificial in the long term maintenance of a listed building.</p>	No change to SPD.

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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3.8

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23436 - Mr John Mercer [10308]	Object	<p>Many listed buildings have had repairs carried out in the past that are non-compliant. Cement has damaged the soft brickwork, roofs exhibit tar sheeting, cement tiles and plywood and chipboard repairs abound.</p> <p>The document needs to comment on correcting these in a sympathetic way. Also the undoing of wrong paints, insertion of UPVC windows incorrect guttering etc.</p> <p>Recommendation - that such improvement should need more that a discussion with an officer and not need full listed building consent as it is in the realm of "obvious".</p> <p>Note - the document does not mention sand-cast lead to be used on listed buildings - an important visual feature of lead roofing, guttering and flashing. (12.35 reference to lead soakers)</p>		<p>Comments noted.</p> <p>* It is acknowledged and agreed that some listed buildings have had inappropriate materials and methods used over their lifetime. In fact, some buildings were listed with inappropriate cement renders, large extensions, cement tiles, etc. Buildings were listed 'warts and all'. Whilst this is unfortunate, the Council cannot require an owner to rectify the works. If an owner chooses to undertake the works to remove or remedy this work, the Council will work with them to ensure that a more appropriate method or specification is used that are best for that particular building's needs.</p> <p>* There is ample information in the SPD regarding the need for a historically built structure to breathe and the use of appropriate materials, to be able to move, etc. The particular circumstances will vary from building to building.</p> <p>* Minor repairs using like for like materials and methods are allowed without the need for formal consent. However, the implications of allowing the cement render from an entire building to be removed without any consent can be precarious. For example, how is the render to be removed? There are many methods for this, some of which could significantly damage the historic fabric underneath. What if there are requirements for additional repairs, such as sole plates, timber framing, plinths, etc.? If the Council was not aware of the additional works, which do require consent, then the specifications could result in any level of quality of work. The ability for the Council to monitor and control what works take place, how, why, with what, etc. are vital to ensuring the buildings longevity. Listed building consent is required for these</p>	No change to SPD.

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				<p>alterations whether the proposal is 'good' or 'bad'.</p> <p>* There are certain occasions when works are considered to be so minor and would not result in the loss of any historic fabric, that the Council may agree these works to be 'de-minimus'. In these particular cases, the works may be dealt with via an exchange of letters that detail the schedule of work and specifications. Listed building applications are legal documents, which are maintained to provide a history of changes to the building. If there is no record of works that have taken place to a building, the owner may be liable and the works may be deemed as unauthorised. Having these letters on file provides evidence to any Officer that these works were agreed and not felt to impact the building significantly. The phrase used, 'in the realm of obvious', is subjective and not necessarily based on any evidence or justification. Each situation must be viewed on a case-by-case basis.</p> <p>* At present, the Council will support the use of cast iron or cast aluminium rainwater goods. There has been no mention of the need to use sand cast lead. However, it can be discussed amongst Officers.</p>	

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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*Chapter 4 Changes Affecting Listed Buildings*

4.4

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23432 - Mr John Mercer [10308]	Object	The document could be clearer about which period the restoration uses as its target. If a Georgian building is being restored - what happens if a later Victorian detail is removed that was the item of principle interest? e.g. stained glass?		<p>Comments noted.</p> <p>* The comments reflect a constant debate amongst professionals. In regards to the listed buildings within the South Cambridgeshire area, there are few that are of such particularly high calibre or status that would necessitate the need to have this debate. Most of the listed buildings are vernacular architecture and have developed and changed over the several hundred years they have been around. If there is a particular building that requires this level of intervention, it is likely to be a Grade II* or Grade I, which would then require the involvement of English Heritage and the other amenity societies. As a result, the Council would work with them to ensure the proposal fits into the building's evolution. There are arguments both ways in regards to being honest with any new works or restoring a building back to a particular period. The Society for the Protection of Ancient Buildings (SPAB) has one particular stance, as other groups most likely do.</p> <p>* It is not felt that the SPD could include this subject due to its specific nature. The emphasis is on the involvement of the Council in any proposal where matters like this could be discussed.</p> <p>* One of the most important things to consider with any listed building is what is the significance of that particular part of the building? This goes back to fully understanding the history and evolution of the building. How long has that particular element been there? If the element in question has been there longer then it has not, then perhaps it should stay. Being able to read the building's history and understand how it fits into the context of this history will inform the owner what period, if any, works should be carried out</p>	No change to SPD.

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
				to.  * Refer to PPG15, Section 3.12 and 3.13 which discusses the ability for a building to have extensions and alterations. All proposals are assessed for impact to the character and setting of the listed building, including loss of historic fabric and the historic plan form. Changes that may be acceptable to a masonry Victorian building (which is around the time the concept of conservation began) may not be acceptable to a 16th century timber framed building. It is the Council's responsibility to ensure that all change is managed to all listed buildings.	
<b>4.10</b>					
23359 - Beacon Planning Ltd (Mrs Charmain Hawkins) [10111]	Object	I specifically do not agree with paragraph 4.10 which seeks to perpetuate the Council's justification for refusing extensions to listed buildings. The statement that 'in certain circumstances the purchase of a listed building may not be appropriate if it does not already offer the amount of accommodation required' ignores changing personal circumstances and importantly does not feature in paragraph 3.13 of PPG15 to which you refer.		Comments noted. It is felt that the Council has a responsibility to potential purchasers of any listed building. All efforts are made to liaise with estate agents when a listed building is put on the market to ensure that advice and information can be shared between the Council and the purchaser and that the purchaser is as well informed as possible. South Cambridgeshire District Council feels strongly that all buildings, whether listed or not, has a finite capacity for further accretions to be erected. Refer to PPG15, Section 3.12- 3.13.  It is acknowledged that every particular case is reviewed on its own merits, and on a case by case basis.	No changes to SPD.

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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4.17

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23427 - Mr John Mercer [10308]	Object	<p>Clarify the roles and authorities of the variously mentioned "statutory bodies". The document would benefit from a standard RACI diagram ( i.e. map relationships between those who are: Responsible, Accountable, Consulted and Informed)</p> <p>Also need to document a similar stakeholder analysis and their role in the approvals process.</p>		<p>Comments noted.</p> <p>* The statutory amenity societies are mentioned within the SPD. There are also links to their websites if people would like to learn more about them. In regards to their individual roles and what each group focuses on, that again is up to the individual to explore further if they see fit. The legislation states that the Council must consult on particular cases to all amenity societies and does not differentiate between them. There may be a case where the nature of the proposal is so specific that a different group should also be consulted to ensure the correct level of expertise. For example, a registered historic park or garden may include consultation of Natural England, in addition to the seven main bodies.</p> <p>* The request for a diagram to illustrate the nature of the amenity societies, whilst perhaps helpful, is perhaps outside the remit of the SPD. Especially since the document must cater to all levels of interest and knowledge.</p> <p>* It is unclear what is meant by 'approvals process' as to whether it refers to the approval and review of the SPD or of any listed building application. There is a clear and defined process for reviewing all applications, which is guided by the delegated powers given to Officers from the Members. Applicants are able to discuss proposals with Officers, but are not involved during the formal review process amongst the team itself. If additional information is required, the case Officer will consult the applicant. Only if the application is taken to full Planning Committee do the public and/or applicant have the opportunity to be directly involved in the review process, but still under specific guidelines.</p>	No change to SPD.

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
4.41 23355 - Homes and Communities Agency (Mr Mark White) [2347]	Object	Explanatory text regarding applications that affect listed buildings and their settings should be amended to reflect more closely national and local policies.	<p>Paragraph 4.41 should be reworded and new text introduced as follows:</p> <p>"4.41. Planning permission will be refused where the District Council considers that the proposal:</p> <ul style="list-style-type: none"> <li>* Would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance,</li> <li>* Would damage the context, attractiveness or economic viability of a Listed Building,</li> <li>* Would harm the visual, character or morphological relationship between the building and its formal or natural landscape surroundings, or built surroundings.</li> </ul> <p>4.42. Where the District Council considers that a proposal would have an impact on the setting of a Listed Building, it will require the submission of illustrative and technical material to allow that impact to be properly assessed. This will include details to show the existing situation and the precise effect on the fabric and character of the Listed Building and its setting."</p>	<p>Comments noted. The wording used is that the Council 'will resist' and it does not say that it is a definite NO. Using the word 'refused' is inappropriate as it may not always be the case. The Council does carefully consider these particular issues and holds them as critical to any proposal. It is important not to be absolute in any general reference document.</p> <p>Sufficient justification and technical data is required for all listed building applications. There are national and local checklists which require particular documents to be submitted. If the information has not been submitted, it may not be formally registered and the additional information requested.</p>	<p>Section 4.42 to be amended to read:</p> <p>'Sufficient justification and technical data is required for all listed building applications. There are national and local checklists which require particular documents to be submitted. If the information has not been submitted, it may not be formally registered and the additional information requested.'</p>

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23297 - Gallagher Estates (Mr Andy Lawson) [10117]	Object	Explanatory text regarding applications that affect listed buildings and their settings should be amended to reflect more closely national and local policies.	<p>Paragraph 4.41 should be reworded and new text introduced as follows:</p> <p>"4.41. Planning permission will be refused where the District Council considers that the proposal:</p> <ul style="list-style-type: none"> <li>* Would dominate the Listed Building or its curtilage buildings in scale, form, massing or appearance,</li> <li>* Would damage the context, attractiveness or economic viability of a Listed Building,</li> <li>* Would harm the visual, character or morphological relationship between the building and its formal or natural landscape surroundings, or built surroundings.</li> </ul> <p>4.42. Where the District Council considers that a proposal would have an impact on the setting of a Listed Building, it will require the submission of illustrative and technical material to allow that impact to be properly assessed. This will include details to show the existing situation and the precise effect on the fabric and character of the Listed Building and its setting."</p>	<p>Comments noted. The wording used is that the Council 'will resist' and it does not say that it is a definite NO. Using the word 'refused' is inappropriate as it may not always be the case. The Council does carefully consider these particular issues and holds them as critical to any proposal. It is important not to be absolute in any general reference document.</p> <p>Sufficient justification and technical data is required for all listed building applications. There are national and local checklists which require particular documents to be submitted. If the information has not been submitted, it may not be formally registered and the additional information requested.</p>	<p>Section 4.42 to be amended to read: 'Sufficient justification and technical data is required for all listed building applications. There are national and local checklists which require particular documents to be submitted. If the information has not been submitted, it may not be formally registered and the additional information requested.'</p>

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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*Chapter 5 Best Practice*

5.1

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23430 - Mr John Mercer [10308]	Object	<p>The document often mentions consulting "experts", qualified professionals" and various other tradesmen as sources of information and validation. The document could make clear the skills and advice already available from the council other than those of Building Control already offered.</p> <p>It would be helpful to separate those who work for money and therefore have an inappropriate interest in the advice they give and those who offer advice with no interest other than the future of the building.</p> <p>Example - surveyors are generally poor value for money. They either "hedge" their opinion or offer no opinion at all as "they were unable to inspect as the item was behind plaster or under floorboards." The catch 22 is that listed building owners are supposed to know all about their buildings before buying them but thorough investigation itself requires listed building consent. The document should offer advice and guidance on when to spend money wisely on professionals. The default position of always consulting paid people will leave little resources left for the work to be carried out.</p> <p>To save the owner time and money the council engineers could for example, first offer their own calculations to indicate the need for paid engineering consultation when apparent structural work needs to be vetted.</p> <p>Clarify where the technical authority for materials and techniques lies - there are too many opinions available. Whose advice is both definitive and trusted (and not financially involved).</p>		<p>Comments noted.</p> <p>* The level of expertise amongst the Conservation and Design team varies. None of the group is qualified structural engineers, surveyors, builders, joiners, etc. As a result, it is always highly recommended to applicants to seek specialist advice when required. The Council does maintain a list of various professionals in most fields to assist an applicant.</p> <p>* If someone hires a structural engineer to investigate a building, regardless of whether or not they are being paid, the engineer should provide an accurate assessment of the building's condition and needs. The Council cannot control what level of information is shared. Some professionals are more factual than others. That is just a fact. The Officers are not paid directly by the applicant, and do offer advice and guidance, but that guidance would not change if money was being exchanged. This could be very subjective. For example, if the applicant went to an architect who was getting paid and was told the Council is likely to support a proposal, but when the Officers see it for the first time see conflicts with it. There is never any guarantee. This is not to diminish the capabilities of the Officers. The advice given is based on experience and test cases in most instances. Conceivably, if you pay someone they may tell you what you want to hear, but the Council cannot control this either. It is acknowledged that some professionals are perhaps better than others, and that some are more interested in liability. But, the retention of a professional is the responsibility of the applicant, who should carry out a thorough interview to ensure the professional adequately matches their needs.</p>	No change to SPD.

<i>Representation No.</i>	<i>Nature Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
			<p>* Financial matters cannot be a material consideration when determining applications. How applicants choose to spend their money, whether on hiring professional or taking a chance, is ultimately up to them. The Council does not control this.</p>	
			<p>* If required and necessary, the Council can involve an independent professional who is an expert in the necessary area to provide additional support and guidance if the methodology presented goes against the believed appropriate approach.</p>	
			<p>* Sometimes the matter of materials is subjective. But it should be based on evidence, either within the building, the village, the era the building was built or sound conjecture.</p>	
			<p>* The Conservation and Design team contains a range of expertise including architecture, conservation, design, etc. Neither the team nor the Council have the specialist engineering experience or knowledge that is sometimes required when assessing the structural needs of a building. The Council's experience dictates that there is value in owners hiring expertise in and this improves the overall quality of the understanding of the building, the application and the end result, which will save money in the long term.</p>	

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
5.2 23397 - Natural England (Ms Janet Nuttall) [6952]	Object	It may also be prudent to highlight the importance of addressing potential protected species matters at an early stage of development, within this document. In some cases the undertaking of necessary maintenance work to a building will ensure the long term viability of the site for protected species (eg. bats) and is therefore clearly of benefit to such species. However, even this work, where it has the potential to disturb/damage protected species and/or their habitat, must be undertaken in a sensitive manner and may require an appropriate licence from Natural England to allow work to be carried out that would otherwise be illegal. Natural England has noted the requirement in the 'Checklist for Listed Building Applications' for applicants to submit a biodiversity survey and report. It would be helpful to refer to the requirements of this in more detail within the text of the document.		Comments noted. Most of the issues raised can be found in the Biodiversity SPD, which is referred to within the Listed Building SPD. However, it may be possible to include some mention of issues such as bats, barn owls, etc. that specifically relate to conversions of agricultural listed buildings.	Section 5.2 to be amended to include the additional bullet point:  * All listed buildings, including non-listed older buildings, have potential to provide sites for various forms of wildlife. Breeding birds, such as house sparrows or swifts, may take up residence in the eaves of buildings, and gable ends or weatherboarding may provide suitable crevices for bats. It must be noted that certain species, such as bats, are fully protected in law and their presence is likely to have bearing on the determination of an application and possibly the timing of works. Applications may need to be supported by advance ecological survey information to allow potential wildlife impacts to be properly assessed. A license from Natural England may be required to allow lawful disturbance or destruction of certain habitats (within buildings). Further detail on the range of protected species, biodiversity conservation measures and ecological survey seasons can be found in the SCDC Biodiversity SPD.

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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23429 - Mr John Mercer [10308]	Object	<p>What is the strategy for documenting both the buildings as they exist and the changes that take place. There needs to be a repository of information - publication of all applications and decisions on the councils website and open files of correspondence. The document should make clear the duties of the Council in this regard.</p> <p>Need to clarify the status of verbal advice and decisions from both meetings and phone calls. Are all decisions and opinions documented and what is the position if a verbal agreement has not been later placed on file? Might conflict between officers and owners arise unnecessarily?</p> <p>Are these documents and guidelines in accord with other planning authorities in the country? We would wish to avoid a decision being made in one county applying be default to all counties through different rules applying. Example - different counties manage permission for satellite dishes in varying ways and there is a danger that a group gets blanket National permission to carry out a piece of work that is not in accord with local rules - how will these be enforce? (public houses are a good example of this)</p>		<p>Comments noted.</p> <p>* The planning history on most buildings that have ever applied for consent is held at the Council. Most information is available via the Council's website where the planning history on a particular address is available. Most applications can be downloaded for review. If the application is not available online, it is likely to be available at the Council office in the microfiche room. It is not apparent that illustrating this in the SPD would be beneficial as it is stated on the website already and it is shared with most owners and agents.</p> <p>* There are also files for each building that holds miscellaneous information. These files are available to the public. It would be ideal to have full details of any changes over the lifetime of a building, before and after photos, etc. but it is not realistic. The Council are considering how the files are best made available.</p> <p>* Most major discussions or decisions should be located on the specific file. In the process of determining any application, there is a delegation report, which outlines the merits of the proposals, the team's comments during the weekly review of applications, any amendments sought, conditions associated with the consent, reasons for refusals, pre-application discussions, etc. All files are available as they are in the public domain.</p> <p>* There is case law, which affects all Councils, however, each Council does have its own methodology and approach to conservation and listed buildings. There are general similarities such as the compliance with national legislation and policy. But each Council may interpret it</p>	No change to SPD.

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				<p>differently, which is what the appeals process is for. How South Cambridgeshire approaches an application for an extension may differ from how Essex or Hertfordshire or Bedfordshire view it. There is really no method for allowing all local authorities to provide the same advice. Again, it is on a case-by-case basis and only through an appeals process can it be tested. There is a difference between different Councils, which respond to local factors. Each Council has a different policy framework and needs, different building types and materials common to the area, etc.</p> <p>* It is unlikely that a group could receive a 'blanket' consent across the country. The Council works with national companies such as Greene King public houses and they share with us that each Council is different. The law allows for this variation between authorities and it is not felt to be a deterrent.</p>	

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*Chapter 7 Grant Aid and Legal Powers*

7.1

<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
23435 - Mr John Mercer [10308]	Object	<p>The document makes many recommendations that will cost the home owner a lot of money - in some cases for new and unanticipated changes where changed standards and practices are being suggested or compelled. The listed building owner generally has no assistance to enable the upkeep of the buildings and we are entering a major recession with homes being re-possessed and certainly, less money available to maintain the buildings. In order to maintain the overall desired outcome, the document needs to offer guidance to home owners who are facing large repair bills as to how to get the best value for money.</p> <p>There is a further real threat that central government will drastically cut any spending it deems non- essential. Typically in the past this has included leisure and conservation.</p> <p>There needs to be a risk analysis of this and a plan produced on how to cope (probably exists already but include in the doc?)</p> <p>The best solution lies in an engagement plan with the owners to form working groups to assist the council in carrying out the terms of the document.</p> <p>The document calls for spending by the home owner but the council must accept the principle that it does not make sense to overpay - i.e. beyond the market value of the house - in a decreasing market this might also impact the home owners ability to raise loans for repairs and works. We can depend on the owners paying more than the value of the house but the council cannot expect an "infinite" purse.</p> <p>The council might need to recognise that</p>		<p>Comments noted.</p> <p>* As mentioned previously, personal financial matters are not material considerations when determining an application. Every application must be consistently reviewed based on the merits of the case. If particular conditions are placed on an approval for a particular level of detail or quality, then that is required in order to comply with the consent. In an ideal world, people considering purchasing a listed building would go into it well informed and appreciate the heritage asset they are looking after.</p> <p>* Routine maintenance should be undertaken to anything, whether it is a listed building, a car, a barn, or a person. The costs involved in doing so should be factored in to anyone's budget. The Council cannot require a building is regularly maintained, but in the long run the costs of repair and replacement will be significantly lower if routine maintenance is undertaken regularly. The Council has certain powers to address buildings at risk or whose lack of maintenance creates an amenity issue.</p> <p>* The state of the economy, whether boom or bust, cannot be reflected in determining an application. If an owner is not capable of undertaking the works, the application could be submitted at a later date. Consents are valid for at least three years, which allows an applicant to undertake the work based on their schedule.</p> <p>* The Council's funding and support from government is not relevant to the SPD, except for grant aid, which is included.</p> <p>* The Council cannot control the financial</p>	No change to SPD.

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		<p>some of its "recommended" suppliers and craftsmen are not very cost effective and in some cases charge vastly inflated rates to unsuspecting clients. The document needs to refer to a policy of only recommending competent and fair traders.</p> <p>There are cases of recommended suppliers not understanding issues - e.g. a recommending a builder who turns out not to understand lime mortar and adds cement to the mix in contravention of the document and tries later (and often successfully) to cover up the error.</p>		<p>climate or individual owner's financial situations. Therefore a risk assessment is not required in regards to the SPD.</p> <p>* The document is not simply a manual that every listed building owner is to comply with and follow on a systematic basis. It is a tool to provide advice and guidance with the most common issues that arise on a daily basis. It may be that the Council has to manage expectations in relation to this document about what it is for. Therefore the need for an 'engagement plan' would seem to be above and beyond the purposes of the SPD.</p> <p>* If a person is considering purchasing a listed building, the amount of sale should reflect the buildings current condition and what works may be required to bring it back into habitable use. The Council does not have any involvement in the price a person pays for a property, and if the works necessary to improve the building are excessive, then it may have been prudent for the person to consider that before purchasing the building.</p> <p>* The policy of recommending the use of qualified professionals is best practice. It is highly recommended to locate a professional through more appropriate means such as to research the matter via a professional organisations website, word of mouth, etc. This recommendation is based on finding the right person for the job. In essence the Council prefers the owner seek advice from a person with the relevant experience. If a builder has only worked on modern buildings they may not have the appropriate level of understanding of traditional methods and materials, which could lead to an expensive outcome to remedy.</p>	

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				<p>* It is important for any owner to get the appropriate level of assistance. Whether this is from an architect, a roofer, a bricklayer, etc. Part of this process should involve interviewing that professional to ensure they have the necessary qualifications. This could also include visiting previously completed projects, speaking to past clients, etc. This is all relatively common sense recommendation that can be applied to any work needed. The Council is not able to control this process, as it is the responsibility of the owner.</p>	

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23426 - Mr John Mercer [10308]	Object	<p>It is not clear from the document how the various documents mentioned interrelate. It needs to be clear which items are law and which opinion or local decision. (or indeed local decision enforceable by law).</p> <p>Example - the town and country (permitted development amendment) act of October 2008 does not mention listed buildings as being a reason for exclusion or rejection of permission to build in the land around a listed building. One might take that to mean that there is no listed building control over, say, the building of a swimming pool in a the garden next to a building of historic interest.</p> <p>Does the Listed building consent overrule governmental law or vice versa - or can the two homologate and coexist without conflict?</p>		<p>Comments noted.</p> <p>* The specific nature of what works are permitted or included in which document would appear to be based on the individual case. This more specific advice can be given from Officers and if necessary consultation with other teams, such as Development Control, can be undertaken. It was not felt that a critical analysis of each major piece of legislation should be undertaken, as the document was developed to appeal to the general public. If further information is required, it can be requested.</p> <p>* At present, the installation of a swimming pool within the setting of a listed building would require consent. As of October 2008, the Permitted Development Rights have been amended. These changes affect planning permission more than listed building consent, as most works to a listed building requires consent, however, both can impact the setting of a listed building. Any queries about this would be discussed with Development Control colleagues.</p> <p>* There may be conflicts between the various legislative acts. In regards to proposals to listed buildings, the listed building legislation do work in parallel, but have different criteria and focus. For example, if planning and listed building consent is required for an extension and the planning officer has no reason to refuse the extension but the listed building officer does not support the proposal, the extension cannot be built. This is true even if planning permission is granted. If listed building consent is not granted, the works cannot be undertaken. However, at South Cambridgeshire District Council, we work closely with all</p>	No change to SPD.

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				<p>colleagues to ensure a consistent approach to avoid these conflicts.</p> <p>* The Development Control team, as with most teams within the Council, consult with the Conservation and Design team when there is a proposal adjacent to or nearby a listed building. As a result, the team have an opportunity to assess the harm and impact and can inform the case officers decision by including the relevant local policy, national policy and legislation.</p>	

## *Chapter 8 Alterations to Listed Buildings - Internal*

### *8.23*

23394 - Natural England (Ms Janet Nuttall) [6952]	Object	The sections relating to timber treatment (paragraphs 8.20 - 8.26) should make reference to the detailed guidance in Chapter 10 of the Bat Worker's Manual - 'Timber Treatment, Pest Control and Building Work'.		Comments noted.	<p>Section 8.26 to be amended to include the additional bullet point:</p> <p>'Due regard should also be had to the potential impact of chemical treatments on protected species such as bats. Certain treatments are harm to bats and other wildlife and their use may constitute an offence. Further guidance on the subject can be found in the Bat Worker's Manual, chapter 10 "Timber Treatment, Pest Control and Building Work".</p> <p>Mitchell-Jones, A.J, &amp; McLeish, A.P. Ed., (2004), 3rd Edition Bat Workers' Manual, ISBN 1 86107 558 8, published by JNCC'</p>
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## *Chapter 9 Alterations to Listed Buildings - External*

### *9.6*

23286 - Cambridge City Council (Ms Joanna Gilbert-Wooldridge) [10122]	Object	We are not convinced that it is possible to stipulate that 'all new materials are handmade, locally sourced (from within the United Kingdom and preferably from the local area)'.	Amend this paragraph to read 'all new materials should preferably be handmade, locally sourced (from within the United Kingdom and preferably from the local area)'.	Comments noted.	Section 9.1 amended to read:  'The Council will require that all new materials are handmade, locally sourced from within the United Kingdom and preferably from the local area and appropriate to the building's age and style, unless otherwise agreed in writing and based upon the particular circumstances of the proposal and building.'
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## *Chapter 11 Specific Historic Details of Listed Buildings*

### *11.5*

23287 - Cambridge City Council (Ms Joanna Gilbert-Wooldridge) [10122]	Object	The middle photograph is wrongly labelled as a casement window.	Amend the label to 'sash window' or change the picture to a casement window.	Comments noted.	Section 11.5: text amended to read 'sash window'
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## *Chapter 14 Sustainability, Energy Efficiency and Listed Buildings*

### *14.21*

23362 - Cambridge  
Preservation Society (Ms  
Carolyn Gohler) [2125]

Object

Renewable Energy - this also should cover "water turbines" in view of those rivers and streams suitable for such and to enable sensitive adaptation of old water mills to modern energy generation means.

Comments noted.

Page 49 comments: comments noted, however, as the thatching document that has already been adopted is now being incorporated into this new SPD, it is felt that it should have its own chapter, which is almost an exact replica of the original (just reworked to suit the SPD). It is correct that the SPD will supersede the previous thatching policy.

No changes to SPD.

Renewable energy/water turbines: South Cambridgeshire has not yet had any requests for water turbines. There are several water mills within the South Cambridgeshire District, however, few are in use or are capable of being used. The document is a working document and at such time as technology changes or policy and legislation changes, the document can and will be amended as necessary.

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## *Chapter 15 Specific Building Types Within South Cambridgeshire*

### *15.1*

23318 - Great Shelford Parish Council (Mrs Bridget Hodge) [3518]	Object	In chapter 15 could apple stores be included or are none of them of sufficient merit though they do represent a unique building form?		<p>Support noted. In reference to apple stores as a particular building type, there are not many of this type of building remaining in a reasonable condition to warrant their inclusion, but the comment is noted and appreciated.</p> <p>In reference to informing all owners of listed buildings, it is the intent to ensure that all owners, architects, estate agents, Parish Councils, and any other stake holders are aware that the document exists once it has been formally adopted by Council. The document will be widely available and promoted on the Council's website as well. In addition, the intention is for the document to be used to create short and simple brochures on a particular component of the SPD, for example, a brochure on windows or thatch to enable the Council to provide adequate advice and support to all.</p>	No change.
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<i>Representation No.</i>	<i>Nature</i>	<i>Representation Summary</i>	<i>Change To Plan Sought</i>	<i>Council's Assessment</i>	<i>Change To Draft SPD</i>
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## *Appendix 1 Guidance on Applying for Listed Building Consent*

### *The Listed Building Consent Process*

23437 - Mr John Mercer [10308]	Object	The process map for listed building consent does not appear to make sense. In a flow diagram there needs to be a clear starting point, cause and effect chains leading to decision points clearly laid out.		Comments noted.  * The chart contained within the SPD is to illustrate the general path an application takes and the basic process of consent. It is not all-inclusive and varies per case. In general terms it is accurate. Again, the point of this chart was to share with all parties the way in which an application could go through the system.	No change to SPD.
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### *Checklist for Listed Building Applications*

23438 - Mr John Mercer [10308]	Object	Why cannot submissions be made by email thereby obviating the need for multiple copies and unwieldy document packs coupled with easing the archiving problem?		Comments noted.  * It is unclear if the comments made are in regards to submitting an application or in regards to commenting on the SPD itself. Applications that are web based can be made through the Planning Portal. The consultation process for the SPD follows a particular system established by the Policy team and any changes to that would require their consent and involvement.	No change to SPD.
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## *Chapter 13 Thatch*

### *13.1*

23361 - Cambridge Preservation Society (Ms Carolin Gohler) [2125]

Object The SCDC guide to thatching should be referenced in paragraph 9.1 or paragraph 13.1? It is unclear if any of the recently approved documents are now superseded (e.g. Thatch and thatching in South Cambridgeshire - Adopted as Council Policy 2007)?

Comments noted. Page 49 comments: comments noted, however, as the thatching document that has already been adopted is now being incorporated into this new SPD, it is felt that it should have its own chapter, which is almost an exact replica of the original (just reworked to suit the SPD). It is correct that the SPD will supersede the previous thatching policy.

Renewable energy/water turbines: South Cambridgeshire has not yet had any requests for water turbines. There are several water mills within the South Cambridgeshire District, however, few are in use or are capable of being used. The document is a working document and at such time as technology changes or policy and legislation changes, the document can and will be amended as necessary.

Section 13.1 to be amended to read:

'The previously adopted document regarding Thatching in South Cambridgeshire has been incorporated into this supplemental planning document. This document supersedes the previously approved policy document.'