

# Birmingham City Council

## Report to Cabinet

23<sup>rd</sup> April 2024



**Subject:** Historic Environment Supplementary Planning Document (SPD)

**Report of:** Strategic Director Place, Prosperity and Sustainability

**Relevant Cabinet Member:** Councillor John Cotton, Leader of the Council

**Relevant O &S Chair(s):** Councillor Akhlaq Ahmed, Economy and Skills

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Are specific wards affected?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No – All wards affected
If yes, name(s) of ward(s):		
Is this a key decision?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, add Forward Plan Reference: 007686/2020		
Is the decision eligible for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, state which appendix is exempt, and provide exempt information paragraph number or reason if confidential:		

### 1 Executive Summary

- 1.1 There is a commitment in the Birmingham Development Plan (BDP) under Policy TP12 (Historic Environment) to produce a Historic Environment Supplementary

Planning Document (SPD) and this report sets out the requirement to fulfil that obligation;

- 1.2 It seeks approval to go out to public consultation with a new draft Historic Environment SPD to fill existing gaps in policy and procedure for the management of heritage assets in Birmingham. The purpose of the SPD is to expand on and add further detail to the existing heritage policy in the BDP with additional guidance on developments affecting heritage assets. It will also replace the existing guidance documents that predate current national and local planning policy and guidance. Additionally, it will complement work currently being undertaken by the Council's Cultural Development Team on the Birmingham Heritage Strategy.
- 1.3 The SPD will identify what is characteristic and significant about Birmingham's historic environment and outline the Council's objectives for different types of heritage asset, it will provide guidance on making changes to different kinds of heritage asset including alterations to reduce carbon emissions. It will also provide a criteria and procedure for managing Birmingham's local heritage list and establish an 'at risk' register for heritage assets in the city to guide action to prevent further deterioration. There is also guidance on the requirements for archaeological investigations ahead of development projects and objectives for the continued development of the Birmingham Historic Environment Record.

## **2 Recommendations**

- 2.1 Approve a public consultation on the draft Supplementary Planning Document. The consultation is proposed to take place in the Summer of 2024 for six weeks. After which the findings of the consultation will be included where appropriate in a final document that will be brought back to Cabinet for adoption.

## **3 Background**

- 3.1 The Birmingham Development Plan 2031 was adopted in January 2017 and states under Policy TP12 (Historic Environment), that the Council will prepare a Historic Environment Supplementary Planning Document (SPD). The purpose of the SPD is to provide further, more detailed guidance on the implementation of the policies outlined in Policy TP12 Historic Environment.
- 3.2 The Council's Cultural Development and Tourism Service in the City Operations Directorate have recently commissioned consultants to review and update Birmingham's existing heritage strategy; *Protecting the Past - Informing the Present, Birmingham's Heritage Strategy 2014-2019*.
- 3.3 The Birmingham Heritage Strategy differs from the Historic Environment SPD as it is a more broadly-based document that covers all aspects of the management and promotion of cultural and heritage sites and collections across the city with a wide range of partner organisations but has no planning status.
- 3.4 The SPD would be specifically concerned with planning and development control. The preparation of the planning service's Historic Environment SPD has not

previously been undertaken due to other work pressures on the City's Conservation staff but the recent development work on the Heritage Strategy by the Cultural Development and Tourism Service has meant that now is an appropriate time to take these documents forward together.

- 3.5 Consultation work undertaken on the Heritage Strategy in 2020 highlighted a number of issues such as heritage at risk and local listing that sit within the planning spectrum rather than the cultural one. It is felt that this would be more appropriate for these elements to be dealt with in a planning SPD so that they will have formal status in the planning system and, hence be more effective at achieving the desired outcomes for heritage protection.
- 3.6 National planning legislation and guidance already offers some protection for heritage assets in the planning decision process. The Historic Environment SPD does not duplicate existing national or local policy but will instead address outstanding procedural and management issues such as heritage at risk and local listing where guidance or process is currently absent. It is intended that the SPD will fill these existing voids and provide greater transparency and clarity to customers.
- 3.7 Finally, the SPD would replace two very dated historic environment planning documents: '*Regeneration Through Conservation 1999*'; and '*Archaeology Strategy: Building the future, protecting the past 2004*'. The new SPD combines the topics previously covered in these documents to provide a more concise and up-to-date guidance document. The SPD will also build-on the related work being undertaken by the Cultural Development and Tourism Service.
- 3.8 Following the public consultation on the draft SPD the findings will be reported back to Cabinet, along with the amendments to the final document with a request for adoption in conjunction with the cancellation of documents set out under paragraph 3.7 (above).

#### **4 Options considered and Recommended Proposal**

- 4.1 Option 1 – Do nothing. This option is not recommended as it would result in less effective guidance and protection of the historic environment giving rise to lack of clarity and transparency for property owners and planning applicants. It will also result in the continued use of two planning documents that are 25 years old and 20 years old respectively.
- 4.2 Option 2 – Permit consultation on a new draft Historic Environment SPD to update existing out of date planning guidance documents; provide greater certainty to customers of the planning service; enhance the protection of Birmingham's heritage; complement the Heritage Strategy being produced by the Cultural Development and Tourism Service and allow input from customers and partner organisations through a public consultation.

## **5 Consultation**

- 5.1 A public consultation will be carried out in accordance with the Council's Statement of Community Involvement. Comments received during the consultation will be considered and the SPD amended accordingly. A consultation statement containing the responses will be produced.

## **6 Risk Management**

- 6.1 There is a risk that failure to adopt the Historic Environment SPD could impact negatively upon the long-term management of the city's heritage assets by failing to provide guidance on a range of issues or provide the processes necessary for the protection of heritage assets. These could lead to a lack of certainty for applicants and property owners and to inconsistent decision making in the planning process.

## **7 Compliance Issues:**

- 7.1 How are the recommended decisions consistent with the City Council's priorities, plans and strategies?

7.1.1 The SPD will satisfy the outstanding obligation set out in the Birmingham Development Plan under Policy TP12 (Historic Environment).

7.1.2 The Route to Net Zero Team have been consulted on the wording and the SPD has been amended in line with their feedback.

### **7.2 Legal Implications**

The Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework offer existing protection for heritage assets at a national level. The SPD will be in line with planning legislation and national guidance and will build on existing heritage based local planning policies in the Birmingham Development Plan and supporting policies. The SPD will have formal status in the planning system and will therefore carry greater weight in the planning decision-making process.

### **7.3 Financial Implications**

There will be no direct financial implications to the City Council as a result of the proposed SPD and the public consultation will be carried out by existing staff in the Planning and Development division of the Place, Prosperity and Sustainability directorate.

### **7.4 Procurement Implications (if required)**

7.4.1 N/A

### **7.5 Human Resources Implications (if required)**

7.5.1 N/A

### **7.6 Public Sector Equality Duty**

An Equality Impact Assessment has been undertaken and is attached as Appendix 2. This concludes that the report recommendations will not have an adverse impact upon any protected characteristics.

## **8 Appendices**

- Appendix 1 Draft Historic Environment Supplementary Planning Document
- Appendix 2 Equality Assessment
- Appendix 3 Environment and Sustainability Assessment

## **9 Background Documents**

- Adopted Birmingham Development Plan 2017  
[https://www.birmingham.gov.uk/info/20054/planning\\_strategies\\_and\\_policies/78/birmingham\\_development\\_plan](https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/78/birmingham_development_plan)
- Protecting the Past – Informing the Present, Birmingham’s Heritage strategy 2014-2019  
[https://www.birmingham.gov.uk/info/50050/culture\\_arts\\_and\\_heritage/1748/heritage\\_strategy](https://www.birmingham.gov.uk/info/50050/culture_arts_and_heritage/1748/heritage_strategy)
- Regeneration Through Conservation Strategy 1999  
[https://www.birmingham.gov.uk/downloads/download/8/regeneration\\_through\\_conservation\\_strategy](https://www.birmingham.gov.uk/downloads/download/8/regeneration_through_conservation_strategy)
- Birmingham Archaeology Strategy; Building the Future, Protecting the Past 2004  
[https://www.birmingham.gov.uk/downloads/download/290/archaeology\\_strategy\\_building\\_the\\_future\\_protecting\\_the\\_past](https://www.birmingham.gov.uk/downloads/download/290/archaeology_strategy_building_the_future_protecting_the_past)
- Statement of Community Involvement 2020

[Statement of Community Involvement | Birmingham City Council](#)





# Historic Environment

Supplementary Planning Document

Consultation Draft • February 2024





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# Foreword



**Councillor John Cotton**  
Leader  
Birmingham City Council

Birmingham’s historic environment is all around us, wherever you are in the city you are rarely far away from a historic building, a historic landscape, archaeological remains or a place connected to famous names from our past.

In recent years we have seen how numerous heritage regeneration projects have benefited the city, whether it is The University of Birmingham’s new home in the former municipal bank on Broad Street, the restoration of Moseley Road Baths in Balsall Heath as a valuable community asset or new homes being provided in historic industrial buildings as we see in the Jewellery Quarter. Historic spaces such as our parks and canals are places that contribute to our health and well-being, whilst archaeological sites and historic landscapes help us to learn about the origins of our city and our ancestors.

The historic environment also has a role to play in the challenges we face with climate change. By encouraging the retention, re-use and retrofitting of historic buildings we can reduce the carbon emissions from construction and reinforce Birmingham’s historic character and distinctiveness.

The historic environment can deliver substantial benefits to the economy, the environment, regeneration and society. This supplementary planning document, along with the companion Heritage Strategy produced by our Cultural Development Team colleagues sets out how the Council intends to harness these benefits for our city.





# 1 Introduction

Birmingham has a rich and diverse historic environment consisting of thousands of heritage assets that tell the story of the city and its people. These assets range from buried prehistoric archaeological remains to Victorian Parks and from medieval timber-framed houses to Brutalist-style concrete buildings of the 1960s.

Birmingham's historic environment is all around us and forms the physical backdrop to life in the city. It contributes to local identity and sense of place, it is a source of tourism and learning, it can be a driver of regeneration and growth, it contributes to our health and wellbeing, whilst the conversion and repurposing of historic buildings provides new homes and contributes to reducing carbon emissions.

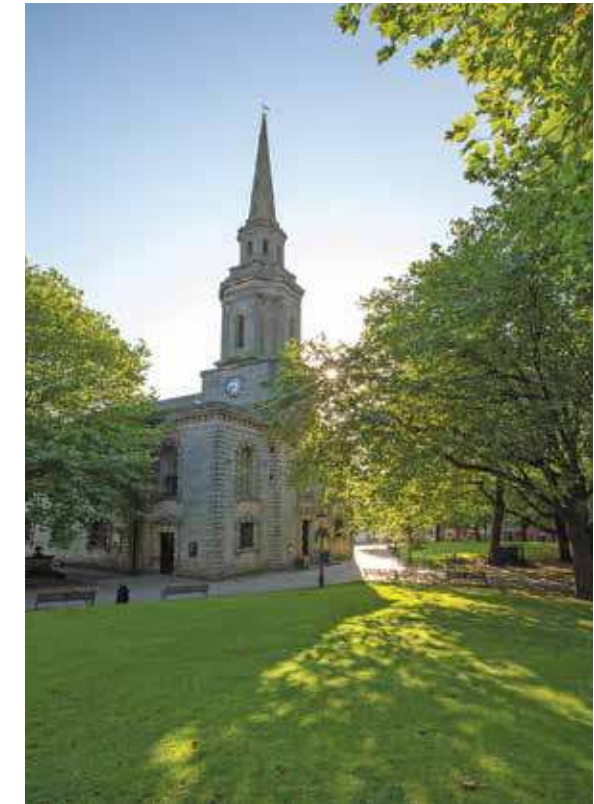
Birmingham is a city undergoing significant change, yet a constant within the city has been its historic environment. As the city grows and renews itself it is important that the city's numerous heritage assets are sustained and enhanced.

The purpose of this Historic Environment Supplementary Planning Document (SPD) is to add further details and expand upon Historic Environment Policy TP 12 of the

Birmingham Development Plan 2017 (BDP) (Appendix 1). It also gives advice on how to conform to additional national policies such as the National Planning Policy Framework (NPPF) within which the City Council must operate. This document shows how the City Council expects our planning policies to be addressed by applications and how we make our decisions.

This SPD does not set out any additional policy but provides further guidance on existing planning policy within the BDP. It also aims to help applicants learn about the history of Birmingham and understand what is significant about it. It has been developed to help Birmingham's stakeholders deliver this vision by setting out the approach taken when dealing with the various types of heritage assets in the city and steer growth and development in a positive direction that benefits Birmingham's historic environment and the wider prosperity of the city.

This draft SPD is open to public consultation from \*\*\*\* to \*\*\*\* 2023 and the Council would like to hear your views on its content. Details on how you can submit your comments can be found in the 'Consultation' section at the rear of this document (page 80).







### The role of Birmingham City Council and the historic environment

The vast majority of the country's historic environment is managed by local government through the planning system in line with national legislation and policy. Birmingham City Council therefore has the following responsibilities:

- The preparation of planning policies on the types of development and uses considered appropriate for areas of the city. The BDP is the means of delivering the local planning authority's strategy and objectives for the historic environment in the city.
- The maintenance of the Birmingham Historic Environment Record (HER). Every local planning authority should have access to an HER to provide an up-to-date, publically accessible evidence base on the historic environment of their area.
- Decision making on listed building consents and planning permissions affecting heritage assets in the city.
- Designation and management of conservation areas; places of historic and architectural interest within Birmingham that should be preserved or enhanced.
- Local designations including the maintenance of the Local List of Heritage Assets and decisions on whether a site or a structure is considered to be a non-designated heritage asset.
- Enforcement of listed building and planning controls and in some cases pursuing prosecutions of offenders for unauthorised, harmful changes made to heritage assets.
- Using the Council's statutory powers to prevent the deterioration and loss of heritage assets which are considered to be heritage at risk.
- Beyond the immediate sphere of planning, Birmingham City Council own and utilise a large number of heritage assets such as library buildings or parks.

### Objectives of the Birmingham Historic Environment SPD

1. To expand and provide detail on the requirements of Historic Environment Policy TP12 of the BDP 2017.
2. To aid the implementation of the objectives of the Birmingham Heritage Strategy 2020-2030.
3. To promote the maintenance and reuse of heritage assets in order to retain the distinctiveness and sense of place of the city and to contribute to the reduction of the city's carbon footprint.
4. To ensure the continued maintenance and development of the Birmingham Historic Environment Record (HER) and improve online access for customers.
5. To create specific guidance for owners and developers on works to listed buildings, locally listed buildings and buildings in conservation areas, including topics like window replacements.
6. To establish a coordinated, up-to-date, and regularly monitored Buildings at Risk (BAR) register for Grade II listed and locally listed heritage assets in Birmingham that will be used to target support and enforcement action.
7. To provide a nomination process, a selection criteria and adoption process for additions to the Birmingham Local Heritage List.
8. To provide additional protection for non-designated heritage assets on the Birmingham Local Heritage List where it is felt appropriate, by removing permitted development rights that could harm their significance including demolition.
9. To provide guidance on the requirements and process for archaeological work undertaken in Birmingham ahead of developments.

### Birmingham Heritage Strategy 2020-2030

The intention is that this SPD will additionally enable the implementation of the objectives of the Birmingham Heritage Strategy 2020-2030.

This separate Heritage Strategy document has been produced by the Council's Cultural Development Team along with partner organisations from across the City. This Strategy has a broader scope beyond the planning system and its aims are captured in three strands; the protection, the enhancement and the promotion of heritage across Birmingham.

The protection strand of the Birmingham Heritage Strategy on how the City's historic environment is managed aligns strongly with the objectives of City Council's planning function. It is the intention that this Historic Environment SPD will enable the delivery of the objectives of both the BDP and the Birmingham Heritage Strategy.

The existing City Council supplementary policy documents on the historic environment; Regeneration through Conservation (Conservation Strategy), adopted as SPD in 1999, and the Archaeology Strategy SPD, adopted in 2003 will both be replaced by the new Historic Environment SPD. This is necessitated by several factors; the changes in national policy; the adoption and preparation of other planning policy documents and non-statutory planning guidance by the City Council; and to respond to increased knowledge and the changing challenges faced by the city's historic environment in the intervening years.



# 2 Planning policy background

Our planning decisions are shaped by legislation and based upon Government policy and guidance, this section is an introduction to the principal elements of conservation law and national and local policy.

## The Planning (Listed Buildings and Conservation Areas) Act 1990

The duty for all local planning authorities (LPAs) is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) as amended. This Act places great weight on the desirability of preserving buildings on grounds of 'special architectural and historic interest'. Section 66 of The Act states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving or enhancing listed buildings and their settings. It also enables the City Council to designate any part of Birmingham as a conservation area. This designation gives the Council planning powers and responsibilities within that area that are additional to those normally available through the Town and Country Planning Act 1990.

## National Planning Policy Framework 2021 (NPPF)

The NPPF sets out the Governments Planning policies for England and how these should be applied. It defines heritage assets as:  
'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'.

It introduces the presumption in favour of sustainable development and requires heritage assets to be conserved in a manner appropriate to their significance. It also requires local development plans like the BDP to set out a positive strategy for the conservation and enjoyment of the historic environment.

When determining applications LPAs should require applicants to describe the significance of any heritage assets affected, including their setting. The LPA must then use the evidence available to assess the proposal and consider the impact on the heritage asset and seek to avoid or minimise any conflict between the proposal and the heritage asset's conservation.

When making decisions the LPA must give great weight to the asset's conservation and the more significant it is, the greater the weight that should be given. Where there is 'harm' the NPPF asks decision makers in LPAs to consider whether the harm can be outweighed by the public benefits of the proposal including, where appropriate, securing the optimum viable use.

The NPPF also has related guidance given in the Planning Practice Guidance (PPG) and in Good Practice Advice Notes 1 to 3. Good Practice Advice Note 1 (GPA 1 The Historic Environment in Local Plans); Good Practice Advice Note 2 (GPA 2 Managing Significance in Decision-taking in the Historic Environment); and Good Practice Advice Note 3 (GPA 3 The Setting of Heritage Assets).

## The Birmingham Development Plan (BDP)

The BDP is the City's statutory planning framework guiding decisions on all development activity, setting out how and where new homes, jobs, services and infrastructure will be delivered and the types of places and environments that will be created. The plans for Birmingham's historic environment are contained in Policy TP12 (Appendix 1). Here it describes how heritage assets will be valued, protected, enhanced and managed for their contribution to character, local distinctiveness and sustainability. It also reiterates how great weight will be given to their conservation and how decisions will be taken according to national policy. The BDP also gives background on the significances of Birmingham's historic environment and commits to the maintenance of the City's HER, the development of a list of local heritage assets, to work to prevent heritage assets becoming at risk, and to produce this SPD.





# 3 A brief history of Birmingham

Birmingham today is the second largest city in Britain, one that grew from a modest medieval market town into one of the greatest manufacturing centres in the world, the 'city of a thousand trades'. This extraordinary transformation was due to several factors; the proximity to the mineral wealth of the Black Country meant there was abundant coal and iron; the harnessing of the areas numerous water courses for watermills provided power for manufacturing processes, and the absence of any restrictive trade Guilds may have helped Birmingham attract skilled craftsmen and entrepreneurs from across the midlands and beyond to settle there.

Archaeological evidence shows there has been human activity in the Birmingham area since the prehistoric period, recent excavations on a Bronze Age site in Perry Barr revealed what is the earliest settlement yet discovered in what is now the city. Excavations carried out ahead of various developments suggests a landscape that was well-populated in the Iron age and into the Roman period with numerous small farmsteads along with notable sites such as the Roman fort at Metchley. A small quantity of Roman pottery found in excavations in the Bull Ring area suggests the site of a Roman farmstead close to where Moor Street is today.

Very little is known about Anglo-Saxon period Birmingham, but it is likely that many of the village centres that later became absorbed into the urban area like Harborne and Yardley date from this period. Birmingham is recorded in the Domesday Book of 1086 but was only an inconsequential agricultural settlement. This humble settlement was soon to transform into an important market town and by the late medieval period it had grown to be the third largest town in Warwickshire behind Warwick and Coventry. Medieval documents show that by 1296 the street plan we know today of New Street, High Street and the Bullring was established and the town was a significant trading centre. Birmingham was especially know for metal working thanks to the proximity of raw materials in the nearby Black Country, and also for the production of leather. Today the medieval buildings in the city centre have gone but elements of the medieval street plan and buried archaeological remains survive.

The proficiency of Birmingham's metal trade made it a centre for the production of weapons during the English Civil War and the town continued to expand in the later 17th century attracting craftsmen from across the region.

The 18th century saw considerable growth in the population with industry expanding in the Digbeth and Deritend area. The country estates surrounding central Birmingham that had constrained the growth of the medieval town slowly began to be released for development with the demand for more housing. The Colmore Estate was developed as a high-class residential area from 1746 onwards along with the Weaman Estate to the north, the Jennens Estate to the east and the Gough and Inge estates to the south and west. Birmingham was gradually rebuilt as a Georgian town with a grid-like street patten lined with three-storey townhouses and formal squares with classically styled churches. However, most of the working population remained living in cramped conditions in the town centre and were later housed in courts of back-to-back houses like those which can still be visited today on Hurst Street. By the late 18th century industrial uses began to expand beyond the town centre core and Digbeth. The origins of the Gun Quarter and Jewellery Quarter were seeded as craftsmen moved their workshops into the new residential areas of the Weaman and Colmore estates.







Birmingham's factories were different from those developing in many of the northern towns, rather than large factories and mills focused on one product, they tended to be an expansion of the existing system of inter-related trades working in small workshops, mass producing small items known as 'toys', such as buckles, boxes and trinkets. In contrast to the small workshops was the most famous and revolutionary industrial site of the era, Matthew Boulton's Soho Manufactory in Handsworth which from the 1760s brought hundreds of skilled tradesmen together under one roof for the first time to produce a range of products.

The problems of transporting the raw materials and the need to then export finished goods was solved by the construction of canals with the Birmingham Canal of 1767-72 drastically reducing the cost of Black Country coal. In time landlocked Birmingham became the centre of the nation's waterways network with new industry expanding along the canals routes.

The growing town needed governance which led to the formation of the Street Commissioners in 1769, at this time their role was limited to street cleaning but did eventually provide the first civic buildings with the building of the Town Hall and the Market Hall in the 1830s. The Council was created in 1838 but it was not until 1851 when all local powers were amalgamated into a single authority that we see local government as we would recognise it today. Until the 1860s Birmingham's public facilities lagged badly behind those of other comparable towns. It was public pressure from Nonconformist ministers preaching the 'Civic Gospel' whereby money should be collected from the richer members of the community to improve life for all residents that the situation changed. The election of Joseph Chamberlain as mayor in 1873 transformed Birmingham as the city became national leaders in the building



of schools and libraries, the opening of public parks and gardens and providing municipal facilities like gas and water. The improvements led to the American journalist Julian Ralph, who was visiting the city in 1890 to describe Birmingham as 'the best governed city in the world'.

The largest of the civic improvements was the creation of the grand boulevard of Corporation Street which was cut through the city from the 1870s and became Birmingham's premier street and lined with many of the city's most important institutions and grandest buildings with lavish use of terracotta. The continued growth of Birmingham led to it being granted city status in 1889. Beyond the city centre elegant suburbs developed along the road and railway routes in areas like Edgbaston, Four Oaks and Moseley with houses designed by Birmingham based architects. The Arts and Crafts style dominated the architecture of the city from 1890 to the First World War and was used extensively in the city's new suburbs. Many of the leading national figures in the Arts and Crafts movement had strong links to Birmingham and taught at the School of Art influencing a generation of decorative artists and architects whose work appeared across the city.

From the 1870s industry had begun to expand further beyond the crowded city centre and into the surrounding countryside, an early example being the establishment of the Cadbury factory at Bournville in 1879. The desire for quality housing for workers saw employers like Cadbury develop the model village at Bournville while garden suburbs were developed by cooperative tenant societies like at Moor Pool in Harborne. Often these new developments were initially in neighbouring counties like Worcestershire and Staffordshire before they were gradually absorbed into the expanding city.

The inter-war period saw a vast expansion of the city with factories and new housing estates being built across the rural hinterland in areas like Quinton and Kingstanding, creating new suburbs along with facilities like shops, improved public houses, sports grounds, and cinemas. The relative prosperity of Birmingham and the availability of well-paid manufacturing jobs during the inter-war period saw workers from more depressed areas of Britain, particularly Wales and northern England migrating to the city in the search for work and better lives.

Migration to Birmingham continued after the Second World War as workers from south Asia and the West Indies travelled to the West Midlands to fill vacancies caused by the post-war labour shortage. Immigrants also included Poles and other eastern European nationalities fleeing the communist Iron Curtain. These migrants were eventually joined by their families and were the foundations of the diverse communities that we see in the city today.

Birmingham like many cities was severely damaged by the bombing of the Second World War and looked to rebuild as quickly as possible. Under the leadership of City Engineer Herbert Manzoni, large areas of the city were the subject of comprehensive re-development schemes that swept away much of the 19th development surrounding the city centre. The building of the inner-ring road and the dominance of cars was particularly destructive, resulting in the loss of many significant historic buildings and severed the links to the inner suburbs beyond. Strict zoning of industrial and residential areas was instituted whilst the need for higher densities resulted in numerous residential towers.

In Edgbaston, Architect John Madin was charged with re-planning the Calthorpe Estate to improve commercial revenue and provide modern housing. Five Ways was zoned for towers of offices whilst

closets of high-quality housing and flats were built amongst the remaining 19th century mansions retaining the spacious, green character of the area. It was an era of dramatic and rapid change in Birmingham which despite the losses did produce quality buildings and infrastructure that are now considered to be of historic interest such as The Rotunda.

The late 1970s saw the contraction of the city's traditional manufacturing industries resulting in unemployment soaring to 20% in 1982. The recession resulted in urban unrest in many deprived areas of Britain including inner-city Birmingham. To counter the decline the city looked to broaden its economic base by seeking inward investment, working with employers, and providing facilities that would attract spending power. The developments like the International Convention Centre, Brindley Place, and the Bull Ring refocused Birmingham as a national and international destination for business and leisure.

This renewal continues in Birmingham today as the city evolves to manage wider environmental, economic, and social changes. The need for housing has seen the continued growth of residential uses in the city centre and on former industrial land with higher densities and with a greater use of towers whilst new sustainable suburbs are planned for some surrounding rural areas. The recent changes to retail and working practices caused by the internet and covid have resulted in changes that are still unfolding, but the growth of residential uses, the city's universities, and the arrival of HS2 means that the future is bright. Elsewhere efforts continue to reverse much of the post-war highway infrastructure and the dominance of the car to reconnect the centre with the inner suburbs and beyond.

The city's historic environment today consists of layers from all periods of Birmingham's development.



# 4 The significance of Birmingham

The story of Birmingham is one of continuing change, exemplified by the City's motto of 'Forward'. The city's historic environment reflects this evolution with a rich and varied patchwork of buildings, structures, archaeological sites, and places which tell us about the journey that created the city we see today. Many of these elements are heritage assets with special significance making them unique to, or distinctive of Birmingham.

The earliest landscapes, the medieval town and the later Georgian town have mostly disappeared now and are represented by archaeological remains, the street plan and a few surviving key buildings and monuments. The 19th century city that followed it was one of the greatest manufacturing centres the world has seen and the wealth and status of 'the city of a thousand trades' is still strongly evident in the built environment today with the elaborate classical and gothic architecture that survives.

Victorian Birmingham was a city notable for its enlightened governance and philanthropy that led the way in providing

improved homes, education, and welfare facilities for its citizens. Many of these buildings are still successfully serving these functions in the 21st century.

Birmingham has a tradition of attracting migrant workers since the medieval period, this has continued through to the 21st century, resulting in a rich cultural mix which now forms a strong element of the historic environment. Likewise, many of the radical changes that were made to Birmingham in the post-war period including modernist architecture like Alpha Tower and highway infrastructure like Spaghetti Junction are now over fifty years old and have become emblematic of the city and have heritage significance. Birmingham will continue to evolve and by identifying what is significant and distinctive about the city, will help us guide change and protect what is special.

The NPPF states that the heritage interest of a heritage asset may be archaeological, architectural, artistic, or historic and that significance derives not only from the asset's physical presence but also from its setting.

Significance is at the heart of all the Council's decision making concerning the historic environment. When considering a planning application affecting a heritage asset, or it's setting the Council will seek to avoid or minimise harm to its significance. The Council also considers significance when designating conservation areas or making additions to the Local Heritage List to ensure that the heritage assets are of special interest.

The historic environment policy TP12 in the BDP Pan has the same underlying principle and is clear that the effect of a development on any heritage asset or its setting will be a material consideration in determining any planning application.

The significance of Birmingham's Historic Environment is multi-faceted, and these significances are frequently interlinked and overlapping. The below list of themes are felt to contribute to the significance of the city. They will be used to inform the Council's decision making around the historic environment. The list is not comprehensive and further significances may be present and need to be considered.







### Archaeology and Historic landscapes

- The archaeological remains of prehistoric, Roman, and early medieval periods including landscape features, settlements, roads, and fortifications.
- The archaeology of the medieval and early post-medieval town and the settlements in the surrounding hinterland particularly Sutton Coldfield.
- Pre-industrial period settlements and landscape features that have become subsumed by the expansion of the city, like Kings Norton, Yardley, Aston, Moseley, Edgbaston, Handsworth, Harborne and others. Their historic buildings, open spaces, street plans.
- Historic street patterns including both the organic evolution of settlements along with episodes of deliberate town planning demonstrating how historic landownerships like the Colmore, Gough or Calthorpe estates still dictate current street patterns and land use.

### Industrial Birmingham

- The surviving buildings, structures and buried archaeological remains of Birmingham as a pioneering industrial town of international importance, including the manufactories, the evidence of industrial processes and the homes of the workforce.

- Buildings and structures associated with the city's industrial heritage; 'toy' making, brass and iron foundries, the rolling and stamping of metal, jewellery making, glass making, pen making, precision engineering, gun manufacturing, food manufacturing, the motor and motorbike industry and the manufacture of related components.
- The development of specialist industrial areas like the Jewellery Quarter and Gun Quarter.

### Infrastructure

- The public buildings of late 19th and early 20th century Civic Birmingham; schools, libraries, university, courts, police stations, fire stations, post offices, Council offices, waterworks, cemeteries.
- The 19th and early 20th-century health and welfare institutions, workhouses, hospitals, asylums, sanatoriums, alms houses, medical schools.
- Power and energy production: the extensive use of waterpower and steam power by early industries and the gasworks and electricity infrastructure that succeeded them.
- Historic transport infrastructure including, the extensive canal network, roads, (Roman roads, turnpike roads, civic improvement schemes), tramways and railways and their associated structures.

### Homes

- The large houses and their grounds developed around Birmingham by the city's historic elites from the medieval period to the early 20th century.
- Birmingham's 19th century suburbs including Edgbaston and Soho, that were developed at low-density by estate owners in a classical style.
- Examples of early working class housing such as the back-to-backs on Hurst Street.
- The use of Arts and Crafts architecture for domestic dwellings, notably in Four Oaks, Moseley and Edgbaston.
- The creation of Model villages such as the Bournville and Mool Pool estates, alms houses for the elderly, purpose-built housing for factory workers like Austin Village and early and innovation social housing schemes.

### Leisure

- Parks, gardens, and public open spaces including cemeteries such as Key Hill, ornamental Civic parks such as Adderley Park and Canon Hill Park, recreational historic open spaces like Sutton Park, the Botanical Gardens, The Vale, and the Edgbaston Guinea Gardens.
- Sporting venues including swimming pools, sports grounds and their pavilions, gymnasiums illustrating the City's role as a cradle of modern sport.
- The facilities of the inter-war period suburbs with their parades of shops, improved public houses like the Black Horse at Northfield and cinemas like the former Odeon at Kingstanding.

### Commerce

- The elaborate commercial architecture of the later 19th and early 20th century city centre and suburbs often displaying extensive use of terracotta; premises for shops, banks, insurance companies, hotels, public houses.
- The significant elements of Birmingham's post-war redevelopment; modernist commercial buildings, educational buildings, public spaces, transport infrastructure and public art.

### People

- Places of worship reflecting the diversity of worship in the city; the two cathedrals, churches, chapels, meeting houses, mosques, temples, synagogues and colleges for religious training.
- Memorials and Civic monuments commemorating events and significant persons of 19th and early 20th century Birmingham.
- Buildings and places telling the stories of the cycles of immigration into Birmingham and the communities they created.
- The homes, workplaces, and performance venues of significant historical figures from the arts, sport, politics, science, and industry.



# 5 Types of heritage asset

Birmingham contains a wide range of heritage assets including buried archaeological remains ranging from the prehistoric period to 19th century industrial sites, buildings that include medieval churches to a 1960s railway signal box, historic village centres like Kings Norton to townscapes like the Jewellery Quarter and landscapes such as Sutton Park.

Heritage assets fall into two broad categories, 'designated' and 'non-designated' assets. The list below gives information on the types of assets in Birmingham and who is responsible for their designation or identification.

### Designated Heritage Assets

- Scheduled Monuments - designated by the Department of Culture Media and Sport based on advice from Historic England.
- Statutory Listed Buildings - designated by Department of Culture Media and Sport based on advice from Historic England.
- Conservation Areas - designated by Birmingham City Council.
- Registered Parks and Gardens - designated by Historic England.

Other types of designated heritage asset include, World Heritage Sites, Protected Wreck Sites and Registered Battlefields, but none of these are present within Birmingham.

### Non-designated Heritage Assets

- Non-designated Heritage Assets (as identified on the Birmingham Local Heritage List or during the assessment of planning applications or production of planning documents) - Birmingham City Council.
- Sites of Archaeological Potential - identified by Birmingham City Council.

Details of all types of heritage assets are contained on the Birmingham Historic Environment Record (HER) maintained by the Council. Details of Designated Heritage Assets (apart from conservation areas) can be found on the National Heritage List for England (NHLE).







**Designated Heritage Assets**

**Scheduled Monuments**

Birmingham has 13 scheduled monuments which include a range of site types including medieval moats like Weoley Castle, the Metchley Roman fort, Perry Bridge over the River Tame and landscapes like Sutton Park.

A scheduled monument is an archaeological site, historic structure or building (usually unoccupied) that is included in the Schedule of Monuments kept by the Secretary of State for Culture, Media and Sport. The designation and consent regime are set out in the Ancient Monuments and Archaeological Areas Act 1979. The designation applies to everything that forms part of the land and buildings within the boundary as shown on the schedule entry unless expressly excluded.

Any works to a scheduled monument require scheduled monument consent from the Secretary of State, the process is managed by Historic England. It is an offence to disturb a scheduled monument without consent. In some cases, those managing a scheduled monument can enter into a Heritage Partnership Agreement (HPA) to avoid the need to repeatedly apply for consent for repeated minor works. The Council has entered into a HPA with Historic England for Sutton Park.



Permitted development rights, where permission is not normally needed, do not apply to scheduled monuments. Where works would additionally require planning permission, the City Council will not grant permission unless it can be demonstrated that the applicant has discussed the proposals with Historic England and are likely to gain scheduled monument consent for them.

**Objectives for Birmingham’s Scheduled Monuments**

- The City Council will work to maintain the archaeological, architectural, and historic interest of Birmingham’s Scheduled Monuments and their settings through the planning system.
- The City Council will work with Historic England, owners, and developers to secure the preservation of buried and upstanding archaeological remains and their interpretation for the public.
- The City Council will assist Historic England to monitor the condition of Scheduled Monuments and report any works carried out without consent.
- Non-designated heritage assets that are felt to be of national significance shall be proposed for inclusion on the schedule to ensure that the full scope of Birmingham’s historic environment is represented.

**Listed Buildings**

Birmingham has around 1,800 listed buildings designated for their special historic and architectural interest, reflecting the diversity of the listing criteria and the city’s heritage. Listed buildings in the Birmingham include not just examples of fine architecture, such as the classical Town Hall of 1832, but also examples of small, unitarian workshops and factories such as those found in the Jewellery Quarter. Birmingham also has one of Britain’s greatest post-war architectural legacies including Alpha Tower in the city centre which was completed in 1972.

Listed buildings are identified by Historic England and placed on a statutory list of buildings of special architectural or historic interest by the Secretary of State for Culture, Media and Sport, under the Planning (Listed Buildings and Conservation Areas) Act 1990.

Listed buildings are classified in grades to show their relative significance with Grade I being the most important followed by Grade II\*. Most listed buildings are Grade II.

The process of statutory listing brings a building under the consideration of the planning system and protects them for future generations from demolition and inappropriate and unsympathetic alterations.

Listed buildings are sensitive to alterations as these can affect their special character and appearance, as well as the way their historic fabric functions. Listed building consent must be sought from the City Council for all changes to a listed building that affect its special interest, both internally and externally. It is an offence to carryout works to a listed building without obtaining the required consent from the City Council and can result in prosecution and enforcement action. External works to a listed building or development within its curtilage are also likely to need an application for planning permission.

Buildings can be nominated for listing by anyone through the Historic England website or are listed as part of Historic England’s strategic programme of listing priorities. Candidates are assessed against thematic criteria and a recommendation is made by Historic England to the Secretary of State who makes the final decision.

Buildings are listed in their entirety and not just the front facade unless it is specified in the listing description. Any object or structure fixed to a listed building is treated as part of the listed building. Also, any structure within the curtilage (the area of enclosed land associated with the use of a building, such as the garden of a house) that would have been present since before 1 July 1948, is included in the listing and therefore considered as listed too.

**Objectives for Birmingham’s Listed Buildings**

- The City Council will work to maintain the architectural and historic interest of Birmingham’s listed buildings and their settings through the planning system.
- The City Council will work with owners and developers to encourage the sympathetic use and adaption of listed buildings.
- The City Council will monitor the condition of listed buildings through the Birmingham Heritage at Risk Register (see Section 9) and use their statutory powers to preserve buildings where necessary.
- The City Council will take appropriate enforcement action where harmful works are carried out without listed building consent or planning permission.
- Non-designated heritage assets that are felt to be of national significance shall be proposed for statutory listing to ensure that the full scope of Birmingham’s historic environment is represented.



**Conservation Areas**

Birmingham has 29 Conservation Areas that are spread widely across the city. These vary in character from strongly urban, city centre conservation areas like Colmore Row & Environs and Steelhouse Lane with grand civic buildings and public squares, to leafy suburban garden villages such as Bournville Village and Moor Pool. They also include industrial suburbs like the Digbeth and centres of medieval settlements like Yardley and Harborne, former rural villages that have been subsumed by the urban area as Birmingham expanded.

Conservation Areas are designated heritage assets but unlike listed buildings which are designated by the government, conservation areas are usually designated by the local planning authority, but in rare instances can also be designated by the Secretary of State.

Conservation areas are places that are considered to have special architectural or historic interest and that the character or appearance of that place should be preserved or enhanced. It is a landscape, or townscape designation, which gives broader protection than the listing of individual assets by recognising how a multitude of elements including buildings, structures, boundaries, trees and public realm all contribute to a valued local environment.

Conservation area designation introduces control over the demolition of unlisted buildings, removal of trees, tighter permitted development rights and provides a basis for planning policies whose objective is to conserve all aspects of character or appearance, including landscape and public spaces that contribute to the area's special interest.

**Objectives for Birmingham's Conservation Areas**

- To continue to formulate proposals for the preservation and enhancement of the City's conservation areas with a rolling programme to produce conservation area appraisals and management plans to outline what is significant about the areas and guidelines for maintaining them.
- The City Council will consider the designation of new conservation areas in locations that are felt to be of special interest.
- To continue to implement the recommendations of the 2017 Conservation Area Review which identified modifications to the boundaries and amalgamation of some Areas.
- The City Council will consider making additional Article 4 directions where they think that permitted development rights are eroding the special interest of Areas and causing harm.
- To investigate the potential for grant funded enhancement schemes for the City's conservation areas.
- To preserve character and mitigate climate change by seeking the reuse rather than demolition of vacant premises within conservation areas.
- To encourage innovative design within proposed developments that will enhance conservation areas and their setting.

**Registered Historic Parks and Gardens.**

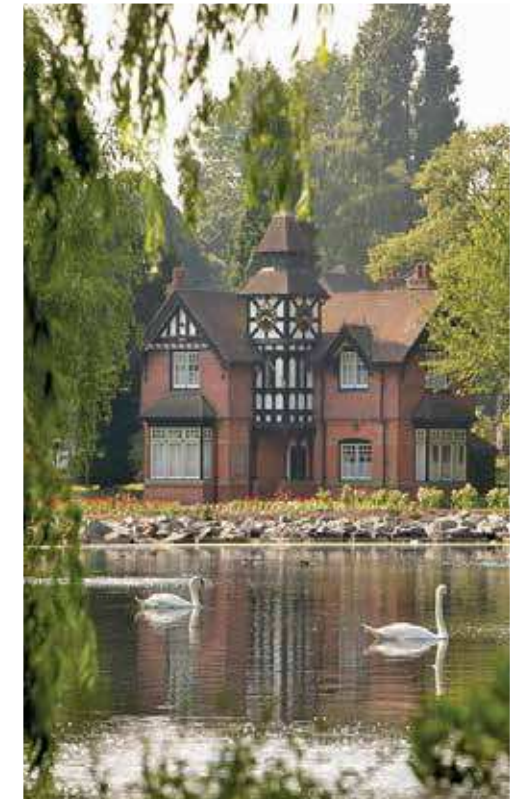
Birmingham has 15 historic parks and gardens that are designated on the National Register of Historic Parks and Gardens (NRHPG). They consist of a fascinatingly broad variety of landscape types and origins within the relatively small boundary of the city. In addition to their historic environment significance, they represent a hugely valuable recreational, ecological, and educational resource for the city.

The designated parks and gardens include Sutton Park which originated as a medieval deer hunting park, gardens that originated as the grounds of large private houses such as Aston Hall or Highbury Hall, the Botanical Gardens at Edgbaston with its scientific and horticultural emphasis, cemeteries such as Key Hill and Witton that were designed as landscapes for recreation as much as burial, and 19th century civic parks like Handsworth Park and Cannon Hill Park.

The NRHPG is compiled by Historic England in accordance with the National Heritage Act 1983. The emphasis of the Register is on designed landscapes rather than the planting or botanic importance of the parks or gardens. Inclusion on the Register is a material consideration of in the planning process meaning that planning authorities must consider the impact of any proposed development on the landscapes special character. The Register grades parks and gardens in the same way as listed buildings, but there is not a separate consent regime for them.

**Objectives for Birmingham's Registered Historic Parks and Gardens**

- To work with Historic England, The Garden History Society and other amenity groups to identify further significant parks and gardens for inclusion on the Register.
- The City Council will work to maintain the archaeological, architectural, and historic interest of Birmingham's Registered Historic Parks and Gardens and their settings through the planning system.
- To provide guidance for the preservation and enhancement of Historic Parks and Gardens within Conservation Area Appraisals and Management Plans.
- To investigate the potential for grant funded enhancement schemes and the production of management plans for the City's Registered Historic Parks and Gardens.
- To encourage and promote the use of Historic Parks and Gardens for recreational, educational, and ecological purposes.







**Non-designated heritage assets including Locally Listed Buildings**

Non-designated heritage assets are buildings, monuments, archaeological sites, places, areas, or landscapes which are significant to the historic character and distinctiveness of the city, that are identified by the City Council as having heritage significance which merits consideration in planning decisions.

Some of these are identified on the Birmingham Local Heritage List whilst others are identified during the production of planning documents or during the progress of a planning application.

**Policy background for locally listed heritage assets**

In accordance with the NPPF, the conservation and contribution of locally listed heritage assets will be a material consideration in planning decisions that directly affect them or their setting. The BDP states that the City Council will support development that conserves the significance of non-designated heritage assets including archaeological remains and locally listed buildings.

Maintaining and enhancing the Birmingham Local Heritage List is a way for the City Council and communities to identify and celebrate historic buildings, archaeological sites and designed landscapes which enrich and enliven their area.

Birmingham City Council have maintained a Local Heritage List of Buildings of Special Architectural or Historic Interest since 1970. The Local Heritage List has been expanded over time to include more than

just buildings and now over 400 heritage assets are recorded on the List. The current list is not definitive, and the City Council will continue to add new buildings, sites and features that have been recognised for their significance to the city.

The Birmingham Local Heritage List of non-designated heritage assets is compiled and adopted by the City Council. Development effecting locally listed heritage assets or other non-designated heritage assets requires planning permission but there is no additional consent system.

The heritage assets recorded on the Local Heritage List are regarded as being of local, or regional significance and compliment the designated assets on the NHLE which are considered to be nationally important. Many heritage assets in Birmingham may not be eligible for the NHLE due to the high bar of the selection criteria. Much of Birmingham’s historic environment dates from the massive expansion of the city in the later 19th and early 20th century, which is a period where statutory designation is highly selective. Local listing is therefore important to Birmingham as without it many heritage assets that are significant and characteristic of the city would not be recognised at all. In some cases, assets on the local list may well be worthy of statutory designation, but are yet to be formally assessed by Historic England.

Many types of heritage asset and some geographical areas of Birmingham are currently under-represented on the Local Heritage List and by the NHLE.

**Objectives for the Birmingham Local Heritage List**

- To re-fresh the Birmingham Local Heritage List by creating an accessible mechanism for communities to nominate potential heritage assets which will be assessed by experts against a robust criteria in a formal designation process.
- To continue to expand the list to include a wider range of heritage assets that are currently under-represented, including known archaeological sites, structures and features representing the city’s industrial history, gardens and parks, features representing the city’s growth in the 20th century.
- Review existing list and remove heritage assets that have lost significance and no longer meet the criteria of a locally listed heritage asset.
- Discontinue the previous Locally Listed Building grading of A, B and C and replace it with a single level of designation. It is felt to that grading contributed to a perception whereby the significance of assets graded B and C were sometimes undervalued.
- Identify non-designated heritage assets of very high importance for inclusion on the NHLE.
- The Council will serve a Building Preservation Notice where a non-designated heritage asset, that is felt to be of listable quality, is threatened with demolition or extensive harmful alteration.
- Where Locally Listed Buildings are located outside the boundary of a conservation area, the Council may remove the permitted development rights for demolition and other rights that could potentially harm their significance by making an Article 4 Direction.
- Produce descriptions of assets that are to be added to the Local Heritage List and produce descriptions for existing assets where they are currently missing.
- Ensure Locally Listed Heritage Assets are recorded on the Birmingham Historic Environment Record.
- Continue to add legacy paper records of locally listed assets to the Historic Environment Record.

See Section 9 for making additions to the Birmingham Local Heritage List.

**Further reading**

Local Heritage Listing: Identifying and Conserving Local Heritage, Historic England Advice Note 7 (Second Edition) 2021.



**Sites of archaeological potential**

Sites that are of known archaeological significance or have the potential to be significant are recorded as monuments upon the Birmingham Historic Environment Record. These can be visible structures, earthworks, landscape features, scatters of artefacts within plough soil or sites that are buried and have been identified from historic mapping, documentary research, remote sensing such as LIDAR or geophysical surveys, or sites that have been found by intrusive ground investigations including archaeological excavations. Inclusion on the HER does not automatically make the site a non-designated heritage asset, it just records information that it has the potential to be one when considered in the planning process.

See Section 11 for further information on archaeology and the planning system.

**Objectives for archaeological investigation in Birmingham**

- To continue to safeguard designated and non-designated archaeological remains through the planning process in accordance with, national legislation and guidance and local policies, and best practice.
- To enhance our knowledge of the city's past by deploying the full range of archaeological investigative techniques.
- For all archaeological investigations to contribute to local, regional, and national research frameworks.
- Significant archaeological sites discovered during intrusive fieldwork will be proposed to Historic England for designation as Scheduled Monuments.
- To continue to develop the Historic Environment Record by adding further monuments and events and making it more accessible to planners and the public.
- To expand and refine the mapping of areas of archaeological potential on the Historic Environment Record.
- To identify opportunities for incorporating archaeological remains into the design of new developments to reinforce local character and identity.
- To increase public awareness and understanding of the city's archaeological remains through publications, displays and interpretive designs.





# 6 The Birmingham Historic Environment Record

The Birmingham Historic Environment Record (HER) is the database that underpins historic environment decision making in the city. The Council have operated and maintained the HER since 1993 and it was formally adopted by the Planning Committee in 1997 as the record of sites of historic and archaeological interest in the city and it now contains over 12,000 records.

Objectives for the Birmingham Historic Environment Record

- The Council will continue to maintain and enhance the Birmingham HER for the benefit of the public and ensure it is the definitive, dynamic source of information on the city's historic environment.
- The Council will seek to expand online access to the HER through Historic England's Heritage Gateway website.
- The Council will seek to expand the coverage of the HER in terms of historic periods; types of heritage asset and to ensure a comprehensive coverage of the entire city.
- The Council will implement the Action Plan from the May 2020 HER Audit undertaken by Historic England including the addition of backlog and legacy records.

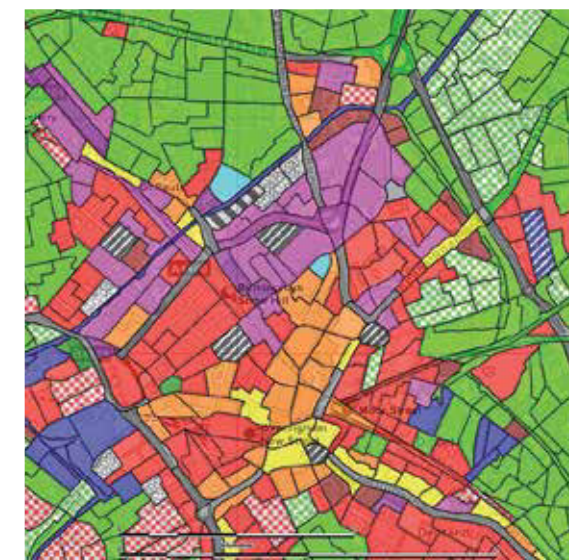
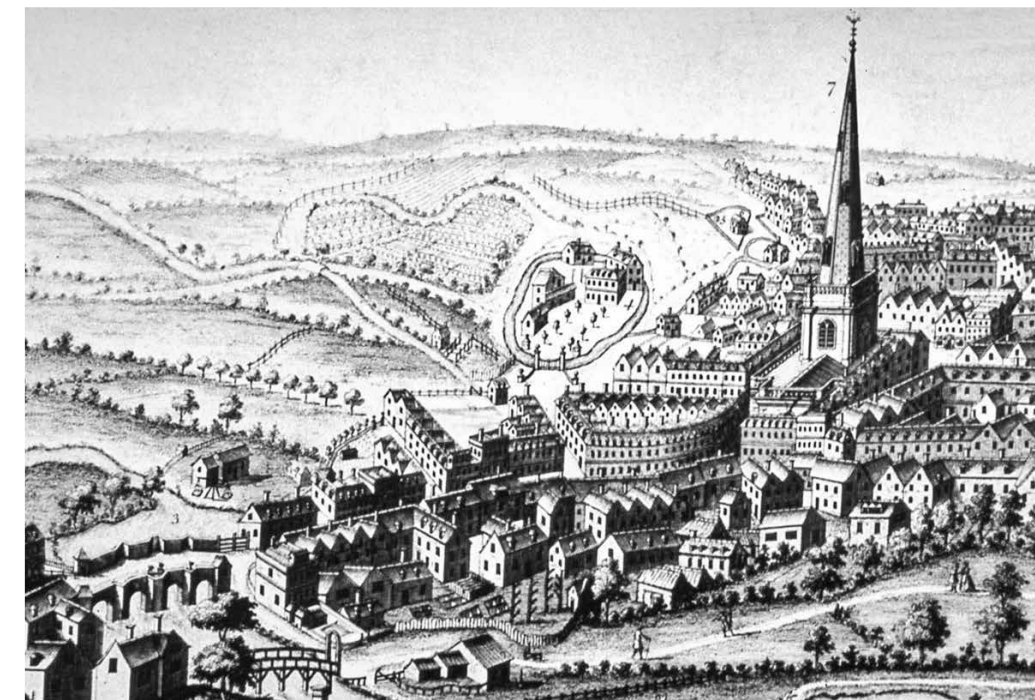
### Policy background

The City Council has a statutory duty to maintain an HER. HERs are publicly accessible and dynamic sources of information about the local historic environment. They provide core information for plan-making and designation decisions such as information about designated and non-designated heritage assets. The HER also contains information that helps predict the likelihood of currently unrecorded assets being discovered during development and will also assist in informing planning decisions by providing appropriate information about the historic environment to communities, owners and developers as set out in the NPPF.

The HER comprises a maintained digital database linked to a geographical information system (GIS) which is supported by associated reference material including 'grey literature' reports and photographs.

The functions of the HER include:

- Advancing knowledge and understanding of Birmingham's historic environment.
- Informing strategic and decision-making relating to the local plan and neighbourhood plans.
- Informing planning decisions.
- Supporting heritage-led regeneration, environmental improvement.
- Contributing to research, education, and social inclusion.
- Promoting public participation in the exploration, appreciation, and enjoyment of local heritage.







**What information is included in the Birmingham HER?**

The HER contains or provides links to information on the following:

- Nationally designated heritage assets. These are designated by Historic England and include Listed buildings of all grades, Scheduled Monuments and Registered Parks and Gardens. These duplicate the designations found on the NHLE.
- Locally designated heritage assets. The Council will continue to maintain and develop the Birmingham Local Heritage List which consists of buildings, structures, archaeological sites, parks, gardens, and landscapes which are significant to the city. These non-designated assets will be added in accordance with the criteria and selection process described in Section 8. Some of these may be worthy of national listing but the majority will be of more local significance to Birmingham.
- Non-designated heritage assets with archaeological significance (including assets that are known to have been demolished or destroyed or known only from antiquarian sources).

- Other non-designated heritage assets with historic, architectural, and artistic interest that are of local significance to Birmingham including buildings, parks and gardens and historic places. The decisions on the addition of these assets will be based on the professional judgement of the Council's historic environment officers. Some may be worthy of consideration for addition to the local heritage list or the NHLE.
- Archaeological objects and their find-spots reported by the Portable Antiquaries Scheme (PAS) or members of the public.
- Records of archaeological investigations and historical research including desk-based assessments, field evaluations, excavation reports, archaeological watching briefs, paleo environmental assessments, historic building recording reports, conservation management plans and heritage assessments and academic papers.
- The Birmingham Historic Landscape Characterisation study consisting of the mapping of current and past land uses across the city.
- Historic Area Assessments and Conservation Area Appraisals and Management Plans.
- The outputs from national research projects, national amenity societies, academic institutions, and the research work of local heritage groups.

**Access**

Information from the Birmingham HER can be requested by anyone and is maintained and updated for the benefit of the public. The record can be accessed either by contacting the Council's historic environment officers via planning enquires: [PlanningandRegenerationEnquiries@birmingham.gov.uk](mailto:PlanningandRegenerationEnquiries@birmingham.gov.uk)

A reduced version of the HER is available through the Council's website at: [https://maps.birmingham.gov.uk/webapps/public\\_access/](https://maps.birmingham.gov.uk/webapps/public_access/)

The Birmingham Landscape Characterisation study and historic mapping of the city is also available via the Council's website at: [https://maps.birmingham.gov.uk/webapps/hlc\\_maps/](https://maps.birmingham.gov.uk/webapps/hlc_maps/)

Access for non-commercial or academic research purposes will be free of charge but a charge will be made for searches used for commercial purposes such as the production of desk-based assessments and heritage statements for planning applications and listed building consents.

**Further reading**

A Guide to Historic Environment Records (HERs) in England, Historic England.



# 7

## Making changes to heritage assets

The principal objective of heritage conservation is to manage change in the historic environment in such a way that the significances of the heritage assets are preserved and harm to them is avoided. Some degree of change is inevitable as buildings adapt to changing requirements of the occupiers and this has been the case for hundreds of years. The important thing is that the significant elements of a heritage asset are retained, whether that be the external appearance, the interiors, the original fabric, or the character of their environs.

This section provides generic guidance on some commonly proposed alterations to designated and non-designated heritage assets that we encounter in Birmingham. All buildings, sites and places will be different, and this section does not pretend to be a fully comprehensive list of all scenarios but should establish basic principles that should be followed. This section should also be read in association with the City Council's adopted Design Guide and area specific guidance provided in relevant conservation area appraisals and management plans or design guides.

Information on improving energy efficiency and the installation of renewable energy technology is given in Section 8.







**Heritage Statements**

The NPPF requires that applications for listed building consent and planning applications that effect heritage assets, or their setting, should describe the significance of the assets. This assessment is contained in a Heritage Statement that accompanies the application. The statement should identify the heritage assets that will be affected by the proposals and should describe the significance of those heritage assets. It should then describe the impact of the proposals on the heritage asset and then consider whether that impact is justified or necessary.

Heritage statements are an important part of the application process as it helps Council Officers to understand the proposal and make an informed decision. Failure to provide an adequate level of information may delay the progress of an application or even result in a refusal.

The scope of the heritage statement and degree of detail necessary will vary with each application and the level of detail should be proportionate to the importance of the heritage assets and the extent of the proposals. A relatively minor alteration to a domestic property will only require a brief heritage statement, whilst a major city centre application affecting numerous heritage assets will require something more substantial. As a minimum requirement the NPPF requires that applicants consult the HER for information. In certain circumstances such as sites of archaeological potential additional expert assessment may be required in the form of an archaeological desk-based assessment.



A successful heritage statement will cover the points listed below:

- What heritage assets, including their setting, are potentially affected by the proposals? Inclusion of photographs is extremely helpful.
- An analysis of the heritage asset, including its setting and context. This could include research on the history of the building contained in the listing description or a conservation area appraisal or other published sources.
- Consideration of whether an expert assessment is required to gain the necessary level of understanding to inform the proposed works to the asset. This may be an archaeological assessment of the site or a report on the structural condition of a historic building.
- Identify the significance of the heritage asset whether it be archaeological, architectural or historic.
- A summary describing the proposed changes to the heritage asset illustrated by existing and proposed plans and elevations.
- What will the impact of the proposals be on the significance of the heritage asset? Will the proposals sustain or enhance the significance of the heritage asset? Will the proposals cause harm and if so, how do you propose to mitigate the harm?
- If there is harm to the heritage asset what would the public benefits of the proposals be that would justify that harm?

You can contact the City Council for advice prior to submitting your proposals to help you to identify the level of detail that may be required.

**Extending a historic building**

When extending a historic building it is important to consider how the extension will affect the significance of the building. In some cases, it may be difficult to extend the building at all without causing harm, however, where an elevation is less significant to the building, where its position is not prominent and the fabric of the wall affected is of less importance, extensions can be considered.

The physical impact of an extension is important, and the connection should remove as little historic fabric as possible or preferably none at all and use an existing opening. Sensitive connections should be sought, for example, simple glass links are a way of reducing impact.

Proposed extensions to historic buildings shall consider the following tests to ensure that such works minimise harm and deliver a design that preserves and enhances the asset. Extensions to listed buildings must demonstrate that:

1. The least sensitive location has been sought (where fabric is already altered, damaged, or lost and in the least significant location).
2. The loss of historic fabric shall be kept to an absolute minimum.
3. The most sensitive connection between new and old fabric is employed to ensure that the connection has limited visual and physical impact and the works are more readily reversible.

4. The design of the new extension is sympathetic and preserves and enhances the building's special architectural and historic interest. Extensions shall be in keeping with the scale, proportions, composition, materials and detailing of the host building.
5. Careful selection of quality materials is employed that:
  - a) Match the historic building in colour, finish, unit size, handling, bonding, and fixing, if the design is reflecting the historic building, or
  - b) A high-quality contrasting material may be acceptable if the extension is of modern design.
6. Opportunities to embed renewable energy and technologies within the extension shall be encouraged.
7. The approach taken should be clearly explained within the Heritage Statement. Historic building recording may be required prior to work commencing. Some sites may require archaeological investigation.
8. Extensions and alterations to buildings that currently make a negative contribution to the character and appearance of a conservation area shall:
  - a) Seek to enhance the overall character and appearance of the building through new entrances, shop fronts, recladding and works to the windows and roof; and
  - b) Ensure the design of an extension does not exacerbate the poor design of the host building and its harm to the conservation area.

See City Design Guide, City Notes LW3, LW4, LW16 - LW18, LW30.



**Rooftop Extensions**

The loss of historic roof structures will not usually be acceptable. Rooftop extensions to historic buildings will only be considered as acceptable where the original roof form (including refurbished or roof structures rebuilt in their historic form) is no longer in-situ or where they will replace an existing extension. In these circumstances it will only be acceptable to replace them, and the replacement shall not be larger in volume, higher or forward-set to that existing extension. The replacement extension design will consider the historic scale, form, silhouette, profile, and massing of the original historic roof and only extend beyond these principles where it can be justified on heritage impact grounds.

See City Design Guide, City Note LW-19, LW30.

**Alterations**

Alterations to the exterior and interior of historic buildings are often necessary to adapt buildings and ensure they can continue to operate successfully, remain comfortable or commercially viable and can meet necessary fire and access regulations. Other alterations are brought about during repair and changes to buildings to repurpose them and bring them back into use. These need to be carefully considered to retain historic and architecturally significant fixtures.

Proposed alterations to historic buildings shall consider the following tests to ensure that such works minimise harm. Alterations to historic buildings must demonstrate that:

1. Loss of significant historic fabric has been kept to an absolute minimum.
2. Where elements are proposed for demolition, it should be the least significant fabric that is removed (the fabric is already altered, damaged, or lost and in the least significant location).
3. Insertion of new fabric is reversible, scribes round historic features and is fixed in such a way that does not cause permanent damage.
4. Compatible materials are used that have an acceptable appearance and properties that do not escalate damp and decay.
5. The design and appearance of the works is acceptable:
  - a) Materials are selected that are appropriate in colour, finish, unit size, handling, bonding, and fixing, if the design is reflecting the historic building.
  - b) It may be appropriate to express an alteration if the works affect significant historic fabric.
  - c) Paint finishes employ an appropriate pallet.
6. Justification for the proposed approach taken should be explained in an accompanying Heritage Statement. Historic building recording may be required prior to works commencing.

The above tests also apply to curtilage structures and boundary walling that benefit from the listing.

See City Design Guide, City Notes L3, L4, L16-L18, LW30-36.

**Windows**

Windows are one of the most significant aspects of historic buildings and are often the component of historic buildings most under pressure from change. The City Council has a strong preference for the retention of historic windows where they survive, but there are a number of issues to consider when windows are damaged, lost, poorly repaired, or already replaced.

Proposed works to windows in historic buildings shall consider the following tests to ensure that such works minimise harm. Alterations to windows must address this sequential approach within the Heritage Statement:

**1. Loss of historic windows**

- a) A historic window is a window that is contemporary to that phase of development and should only be removed if it cannot be repaired.
- b) Later window (e.g., Victorian arrangements in Georgian openings or 20th century steel Crittall windows in 19th century workshops) may also be of significance if they demonstrate the evolution of the building and comprise a good design delivered in sound materials. Again, these should only be removed if they cannot be repaired.
- c) If the window is of low significance being one or more of the following: a modern replica, of poor, inappropriate design, made from inferior materials, or relating to a later and less significant part of the building, the windows may be considered for replacement and depend on Sections 2 below.

**2. Replacement of windows**

- a) Where a historic window (see 1a above) is removed due to poor condition, then a like-for-like (design, profile, position, materials, opening mechanism and colour finish) replacement should be reintroduced.
- b) If the window to be lost is a later window of no significance (see 1c above), the new window should be of a design that relates back to the historic window design and not replicate the existing arrangement. This includes scenarios where poor-quality or inappropriate windows have been consented and installed. Evidence will need to be provided to justify the design solution proposed.
- c) Secondary glazing will be acceptable as long as their design aligns with the principal window itself.
- d) Double glazing will only be acceptable where slim line glazing units can be used without increasing the dimensions of the frame from the historic template. In these instances, the glazing bars should be structural and not applied to the surface of the glass. The installation of slim line double glazed units into historic windows will be considered where historic glass has already been lost and the frames can accept the units without substantial modification.
- e) The installation of upvc double glazed windows will not be accepted in listed buildings and will only be considered for conservation area buildings and locally listed buildings in circumstances where they are replacing existing inappropriate window designs and the new window will accurately replicate or reinstate the historic appearance of the building. This is not likely to be possible for many historic window styles.

f) Elevational and sectional drawings of the proposed window should be submitted with any planning application to replace windows.

**3. Repair of windows**

a) This should replicate the design, materials, and mechanical operation of the window.

Most minor repairs may be considered de-minimis and will not require planning permission or listed building consent. However, this should be agreed in writing by the local planning authority. The upgrading of historic windows to improve thermal efficiency will be supported where it retains historic fabric and is not detrimental to their appearance.

**4. New openings in existing fabric**

a) New windows should reflect the design and significance of the elevation. In some cases it may be possible to deviate away from the historic design to reflect the modernity of the opening. These works are likely to be the subject of further design analysis and discussion with the local authority.

**5. Windows in new extensions**

a) The use of double-glazed windows is acceptable in new extensions so long as the proportions and detailing of the window is appropriate. However, the use of stick-on glazing bars on timber or metal windows will not be acceptable. The use of UPVC windows will also not be acceptable unless they are able to accurately match the appropriate historic style.

See City Design Guide, City Note LW-24.





### Doors

External doors are prominent elements of a building's design and its special interest. Where historic doors survive, they should be retained and conserved. If the replacement of a historic door is necessary due to damage or decay it should be replicated exactly in the original material. Where the original door has previously been removed and a non-historic door is to be replaced, the new door should replicate the original design based on surviving architects' drawings or neighbouring examples. When a new door is proposed attention should be given to the style of the door ironmongery including handles, knockers, keyhole surrounds, strap hinges and letter plates. Where these survive on a historic door that is to be replaced the door ironmongery should be retained for re-used on the new door.

The installation UPVC and composite doors will not be supported on listed buildings and only supported on front elevations in conservation areas where they accurately match the historic style.

Historic internal doors should be retained in listed buildings. The use of perimeter seals and fire-resistant coatings to upgrade doors to meet Building Regulation requirements is acceptable where it does not cause harm to their significance. Replacements for damaged doors or reinstatements of previously removed doors must match historic designs.

### Rendering and painting

The maintenance of wall surfaces that are historically rendered or painted is supported and will not usually require listed building consent or planning permission. However, the application of cladding, new render, or paint to the walls of a heritage asset where

it has not been previously applied will not be supported. It will cause harm to the appearance and may have a detrimental effect on the building's fabric. These works would require consent for a listed building and planning permission for buildings within a conservation area.

The removal of inappropriate cladding, rendering or paint to reinstate the historic appearance of a building will be supported.

### Roofs and tiles

When re-roofing a heritage asset care should be taken to match the original materials and detail. Where the roof of the heritage asset currently has an inappropriate covering material this should be replaced with the historically appropriate material rather than replicate what is there. Traditional clay tiles and natural slate should be used, concrete interlocking tiles and cement fibre slates will not be acceptable. Repairing or replacing a roof using appropriate matching materials would not usually require planning permission.

On extensions and new-builds in historic areas, the pitch of the roof should reflect the pitch of the roof(s) of the host building or the character of the surrounding area. Extremely shallow pitched roofs are not usually appropriate on heritage assets and may preclude the use of traditional materials such as clay tiles due to the angle of tolerance. Where shallow pitched roofs or flat roofs are felt to be appropriate, they should be covered in metal such as lead or terne-coated steel. The use of substitute materials like GRP will only be considered in exceptional cases such as where there is a history of or repeated metal theft. Where a flat roof is hidden, rubber membranes will be an appropriate substitute for felt.

Semi-pitched roofs will only be considered on extensions in historic areas where they are on rear elevations and not visible from the public realm or highway.

Where the site is vulnerable to metal theft low value substitutes for flashings and roof coverings will be acceptable so long as the appearance is maintained.

See City Design Guide, City Note LW-24.

### Dormers and rooflights

The installation of new dormer windows or rooflights will not usually be supported on a heritage asset where they will front the highway or the public realm. Dormers on rear and side elevations are potentially acceptable but must be located symmetrically on the roof, in proportion with the original building and away from verges or hips. Dormers should be set down from the ridge of the main roof and positioned up and away from the eaves of the building to minimise impact on the original roof form and appearance. The style of dormer roof and window should follow that of the host building and the character of the surrounding area. Large flat-roofed, box-shaped dormers that effectively square off the roof will not be supported.

Rooflights on heritage assets should be used sparingly and in proportion with the size of the roof, they should be aligned and arranged symmetrically and not scattered across the slope in a random pattern. They should not be used in long continuous runs, although exceptions may be made for former industrial premises where there is a historical precedent. Conservation style rooflights that sit flush to the roof surface with central glazing bars are to be used.

### Chimneys

Historic chimneys make an important contribution for the appearance of buildings and roofscapes and should be retained even when they are no longer functioning.

The installation of new chimneys for log-burners or biomass boilers should be located discretely away from front or prominent/significant elevations of historic buildings. They should be colour-coated and not left as shiny bare metal.

See City Design Guide, City Note LW-24.

### Gutters, pipes and flues

Ornamental pipes and hoppers on heritage assets should be repaired and retained, in instances where they are have to be replaced due to damage they should be replicated as closely as possible in cast metal.

Where new downpipes are required due to increased rainfall, they should match the originals as closely as possible and should be sited on side or rear elevations where installing them on the front elevation would clutter the appearance of the building.

The installation of flues for boilers or soil pipes for new bathrooms should not be installed on front elevations and should be located on the rear or side elevation if this is not possible, they should be routed internally and vented through the roof.

### Garage and coach houses

The replacement of traditional side-hung, timber, vertical boarded garage doors with modern up and over doors is not acceptable where the garage forms part of a heritage

asset. Replacements should be in the correct historic style. Where up and over doors already exist, this should not act as a precedent when replacement is proposed.

The conversion of garages and coach houses to domestic use must retain the historic appearance and retain original openings and traditional timber doors and glazing. Where modern up and over doors have been installed, these should be replaced with a traditional design. Conversion of a garage should not be used for the justification for a replacement garage or the expansion of hardstanding.

See City Design Guide, City Note LW-21.

### Driveways and hardstanding

Front gardens are characteristic of many of Birmingham's suburban historic areas and makes a positive contribution for the character and appearance of conservation areas like Bournville and Moor Pool. The loss of gardens to create hardstanding for car parking has a harmful impact upon appearance and character. It also decreases permeability that contributes to flooding.

The creation of hardstanding for parking will only be acceptable where it follows the approach below:

- The creation of new driveways will not be acceptable where they require the removal of grass roadside verges or trees or the removal of hedges or historic boundary walls that contribute positively to the area. Driveways that require substantial groundworks requiring retaining walls and major changes in level to accomplish a level surface from the highway will not be acceptable.

- Permission for a dropped curb must be obtained from the highways department.
- The new dropped kerb should not diminish on-road parking provision or cause an obstruction.
- The proposed parking area should take up no more than 50% of the front garden measured from the line of the front elevation of the house. Proposals must incorporate the least amount of hardstanding necessary to park a car and access it and the house. The remaining area should remain as grass or planting beds.
- It should not be located directly in front of the front door but over to one side of the plot.
- High quality, permeable and porous materials should be used, ideally the hardstanding will consist of two rows of paving to accommodate the cars wheels leaving the centre as grass. The use of brick pavers or gravel is preferred to give a natural, textured finish in muted colours.
- The use of imprinted patterned concrete and tarmac is not acceptable.
- The planting of hedges alongside boundaries is encouraged to screen the parking area and reduce the visual dominance of vehicles.
- In most cases planning permission will be required for proposals inside the curtilage of listed buildings and within conservation areas.

See City Design Guide, City Note LW-21.





### Boundary treatments

Historic boundary walls make an important contribution to the streetscapes across the city and should be retained. Proposals for new boundary walls and gates will only be acceptable on roads where there is already a strong precedent for enclosure with similar boundary treatments. Where they are acceptable, they should be in keeping with the existing materials and the character of the street. Removal of, or erection of gates and boundary walls adjoining a highway will require planning permission and listed building consent where they are within the curtilage of a listed building.

See City Design Guide, City Note LW-24.

### Demolition

The complete demolition of a listed building is exceptionally rare, and proposals must meet the tests laid out in the NPPF. Demolition of elements of a listed building that are of low significance such as modern extensions may be acceptable where the proposal better reveals the significance of the building, however the retention of a façade with the demolition of the building behind will not be acceptable. The above principles will also apply to curtilage structures and boundary walling that benefit from the listing.

The total loss or extensive alteration of a Locally Listed heritage asset or other non-designated heritage asset is likely to cause a high level of harm.

The harm caused to a Locally Listed or other non-designated heritage asset will need to be balanced against the significance of the asset in line with NPPF. Total loss of or highly harmful alterations to an asset will be resisted unless it can be demonstrated that there is a clear justification for the proposals which is supported by appropriate professional assessment. In instances where the City Council consider the justification to be insufficient they will look to take appropriate steps to secure the preservation of the heritage asset using the powers available to them including a Building Preservation Notice or an Article 4 Direction.

In instances where the loss of a Locally Listed Building or other non-designated a heritage asset is considered acceptable the Council will take all reasonable steps to ensure that the approved development will proceed once the loss has taken place.

The demolition of a building within a conservation area will be resisted where the building in question contributes positively to the area. Demolition of a positive building would be likely to cause a high level of harm to a conservation area and exceptional circumstances would need to be demonstrated. Proposals for demolition are only likely to be accepted where the existing building has a negative impact on the character and appearance of the designation:

- In cases where a positive building is considered by the applicant to be in a dangerous condition or structurally compromised the Council will expect proposals involving demolition to be supported by a structural survey by conservation accredited structural engineer to justify the exceptional circumstances. Demolition works shall be limited to the absolute minimum amount required to remove the danger.
- In instances where a building does not contribute positively to the conservation area, the loss of the building and formation of a void is considered to be more harmful than leaving a negative building in place. It is therefore important that a replacement building is conceived and secured prior to the demolition being approved. This will prevent a negative gap, to the detriment of an area's character and neighboring properties.
- In exceptional cases a building may be removed without being replaced with only land remediation or landscaping required as part of the application. This may be where a building's removal will reinstate an historic urban grain/form (views, square, route, space), or to create a 'space' that will enhance the conservation area.

Proposals that retain historic facades but demolish the related historic structure behind them will not be supported.

### New buildings in historic areas

Proposals for new and replacement buildings in historic areas should enhance the character and appearance of the area:

- If the building is replacing a negative building within the conservation area, the scale and design will not be determined by the building being replaced but shall relate to the historic character and layout of the conservation area.
- All new buildings must acknowledge the historic character and context of its surroundings including the scale and height of the building, an appropriate degree of modelling and relief in the prominently visible elevations, the scale, alignment, application and arrangement of windows, access and connectivity to the street, the use of appropriate, quality materials, landscaping (soft/hard and boundary treatment).

See City Design Guide, City Notes LW 5-9.

### Historic Building Recording

Where development will result in substantial alterations to a heritage asset the City Council will require a programme of historic building recording or archaeological investigation prior to the work commencing. Recording should be carried out by an appropriately qualified historic buildings specialist and in accordance with Historic England guidance, 'Understanding Historic Buildings, A Guide to Good Recording Practice 2016'.

### Works to the public realm in historic areas

Proposals that directly or indirectly affect the public realm shall seek to ensure that they will preserve and enhance the conservation area or the setting of the heritage asset. The City Council will work closely with partners across the city to improve the public realm and coordinate the contribution that individual developments can make towards the enhancement of the historic environment. The City Council will seek Section 106 agreement contributions where appropriate to improve the public realm.

### Trees in conservation areas

Where trees exist on an application site, all planning applications within conservation areas must be accompanied by a tree survey which accords with BS5837: 2012. This is necessary to ensure that existing trees are properly addressed and effectively managed through the planning process. Independent work to existing trees needs permission through the submission of a S211 Notice (Planning (Listed Buildings & Conservation Areas) Act 1990).

Proposals for new development within conservation areas shall demonstrate the feasibility and appropriateness of introducing trees within the landscaping of the proposal. Where it is possible to introduce trees the location, type and size of tree shall form part of the landscape plan and conditioned to be delivered within an agreed time period.

### Further information

Historic England Advice Note 12.  
Statements of Heritage Significance:  
Analysing Significance in Heritage Assets.



# 8 Climate change and heritage

The City Council has a statutory duty to ensure that Birmingham's historic environment is appropriately preserved and enhanced but this cannot stand in isolation from wider environmental concerns. Climate change and how to tackle it affects us all, the UK government declared a climate emergency in May 2019 and set a net zero target for the year 2050. In June 2019 the City Council announced the launch of 'Birmingham Route to Zero' to develop recommendations for how everyone across the city can contribute to tackling climate change and benefit from a safer, fairer, and more sustainable city by 2030.

The NPPF states that: "the planning system should support the transition to a low carbon future in a changing climate...it should help to: shape places, in the ways that contribute to radical reductions in greenhouse gas emissions.....encourage the reuse of existing resources, including the conversion of existing buildings and support renewable and low carbon energy and associated infrastructure".

The theme of climate change and the need for renewable energy is linked to the wider issue of sustainability which is a common thread running through the entire NPPF and therefore heritage must also respond to this challenge.

Birmingham Plan - Policy TP12 (Historic Environment) states: "Initiatives and opportunities to mitigate the effects of climate change by seeking the reuse of historic buildings, and where appropriate, their modification to reduce carbon emissions and secure sustainable development - without harming the significance of the heritage asset or its setting will be supported".

How Birmingham's historic environment can contribute to zero carbon objectives:

- To promote the retention and reuse of historic buildings opposed to their demolition and replacement.
- To work with applicants to better understand the whole life cycle of buildings and the carbon embedded within them and ensure that the full carbon costs of demolition and construction are transparent and inform decision making.
- To encourage the sympathetic improvement of historic buildings whilst protecting significance to improve energy efficiency and to reduce carbon emissions caused by their use.
- To encourage the use of sympathetically installed microgeneration equipment to provide power and heat to historic buildings.





**Embedded Carbon and the re-use of buildings**

The built environment is one of the largest carbon emitting sectors in the UK today and is responsible for up to 42% of the nation’s greenhouse gas emissions (Historic England, Heritage Counts 2019).

Historic buildings are a vital part of the UK’s built environment, and it was estimated in 2018 that 21% (5.1 million) of all UK homes are over 100 years old. These are traditionally built, solid-walled buildings that pre-date 1919. Only a minority of these traditional buildings are be considered to be significant heritage assets and many of them will be ordinary Victorian terraces that are commonly found across the country. The proportion of homes in traditional buildings today is actually growing as more homes are accommodated in large dwellings subdivided into flats or former industrial buildings are converted to residential use. This re-use is commonly seen in the Jewellery Quarter and elsewhere in Birmingham, providing new homes and regenerating characterful and popular neighbourhoods. Carefully made changes mean that historic buildings will serve their new purpose for many more years.

Historic buildings have an important role to play in Birmingham and the UK meeting their carbon targets and can be part of the solution in our bid to reduce carbon emissions. Demolishing a historic building and replacing it with a new ‘low carbon’ building can result in greater carbon

emissions due to the energy expended in the demolition, the production and transportation of new materials such as concrete and the construction process. It will not be possible or desirable to replace vast swathes of housing stock by 2050 and it is therefore important to make use of existing buildings to avoid further carbon emissions from the cycle of demolition and re-building, ‘the greenest building is one that already exists’.

Historic buildings are a valuable source of embedded carbon. When comparing the carbon emissions created by a new-build development versus the carbon emissions of retaining and retrofitting an existing building, we may be underestimating the carbon emissions of the new-build by up to a third by not including the embedded carbon in the historic building being lost. If the whole life carbon of a Victorian terrace is considered, a sympathetically refurbished and retrofitted house will emit less carbon than a new building by 2050. The materials used in the retrofit will also generate carbon emissions and this also needs careful consideration to not inadvertently increase the carbon footprint.

More recent 20th century buildings built in a wide array of construction techniques used through the period can also be historically and architecturally significant. These buildings can also be retained and retrofitted to provide homes as is demonstrated in Birmingham’s famous Rotunda tower from 1964-65.

**Improving energy efficiency in historic buildings**

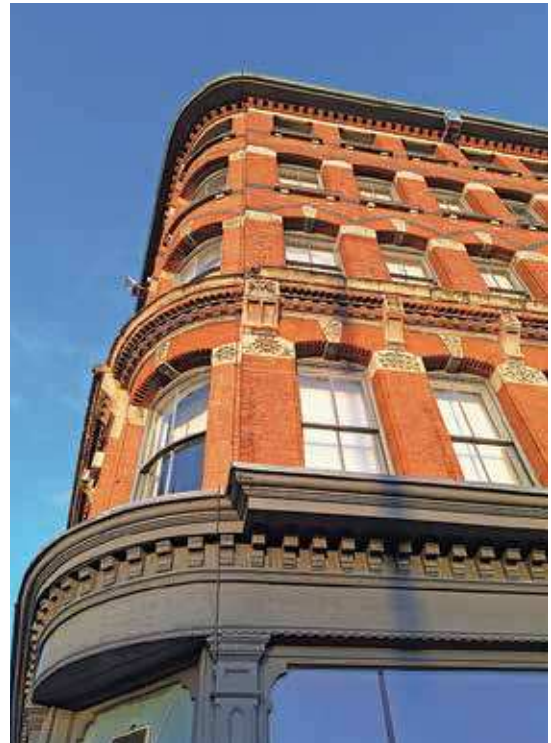
Improving energy efficiency is a major element in achieving a sustainable environment by lowering carbon emissions. Improved efficiency will also help reduce expenditure on fuel bills and increase the comfort of a building’s occupants. Performance of historic buildings is commonly considered to be poor compared with new builds and that radical intervention is required to improve them. The reality is more complicated as older buildings are designed to function differently to modern ones, but it is undeniable that the energy efficiency of most buildings can be improved to enable them to remain viable and useful.

Due to the vast variety of traditional buildings, there is no ‘one size fits all’ solution. Retrofit measures need to be considered very carefully with all historic buildings for them to work and those involving heritage assets also must balance the benefits of improvement with the harm that could be caused to their significance. As well as causing harm to significance badly planned and implemented retrofitting could result in harm to the fabric of the building, harm to human health and failure to achieve the environmental goals or financial savings. Part L of the Building Regulations states that traditional buildings only need to comply where the proposals will not cause long term harm to the building’s fabric.

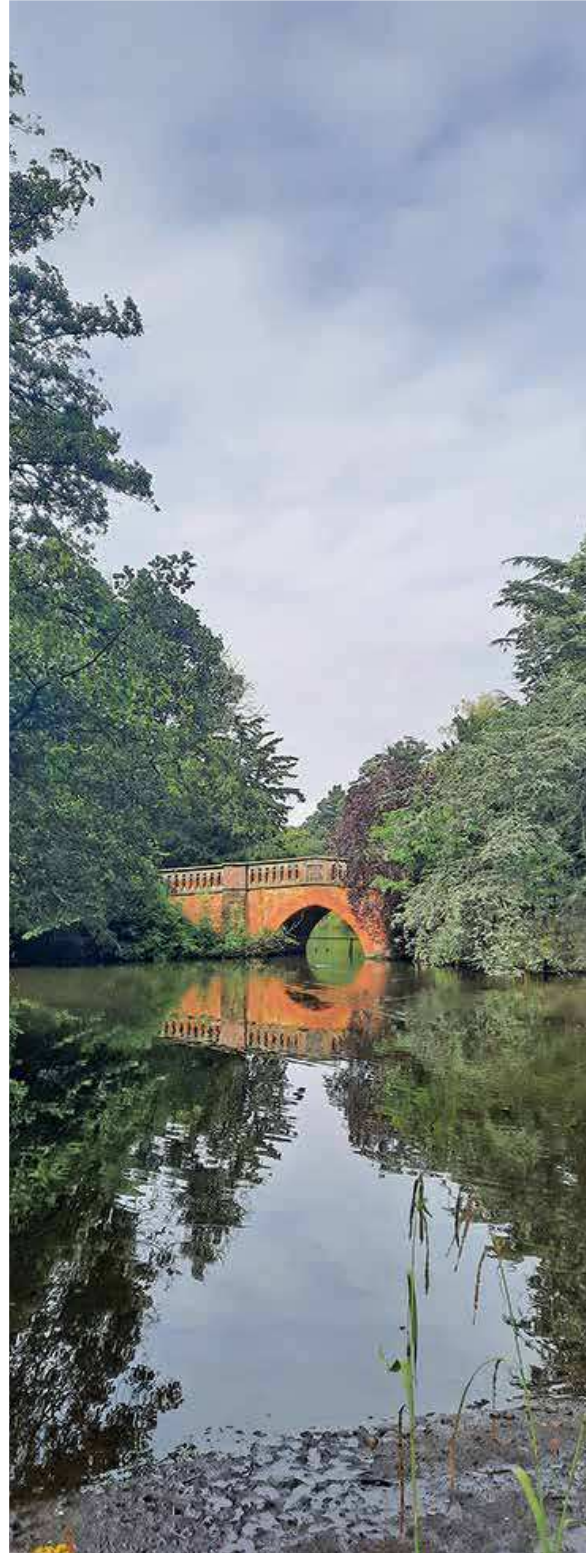
A holistic ‘whole building approach’ is required that uses an understanding of the building, its context, its significance, and all the factors affecting energy use to devise a strategy for energy efficiency whilst avoiding unintended consequences. This approach is intended for heritage assets but can be equally applied to all traditionally built buildings. The approach supported by the City Council is detailed in Historic England’s publication, ‘Energy Efficiency and Historic Buildings’.

The regular repair and maintenance of a historic building also reduces the expending of embedded carbon by extending the life of its component parts. For example, historic timber windows are often made of very high-quality materials that have already lasted over a hundred years and are capable of lasting far longer, we often see the windows of whole buildings being disposed of when only parts of some of them are decayed and could be repaired. The carbon emissions associated with repairing and upgrading existing windows will be far lower than those of the new replacements which will be made of less sustainable materials and are likely to have a limited lifespan in comparison.

Occupiers of heritage assets are encouraged to start improving energy efficiency by following the ‘energy hierarchy’ and carrying out simple improvements to fabric first such as loft insulation and draught proofing before looking to install more significant interventions or renewable energy systems.







Energy efficiency and carbon emissions are affected by the everyday activities of the occupiers of the building and changes in behavior can reduce emissions without negatively affecting the historic building. The primary step is to reduce demand through simple measures such as switching off unused electrical equipment, improving heating controls, using LED lights, and turning down the heating in sparsely used rooms.

The second step is to enhance the thermal efficiency to prevent energy from escaping and lowering demand and can include the following measures:

**Low Impact on significance**

The below measures would have a low impact upon significance and would not require planning permission or listed building consent.

**Loft insulation** - insulating pitched roofs at ceiling level to create a 'cold roof' space that must be ventilated to remove water vapour created by the occupation of the building.

**Repairing pointing and permeable render** - repointing brickwork and repairing render will improve air tightness and prevent water penetration, a dry wall will transfer less heat to the outside and vice-versa. Use of permeable materials like lime mortar is vital to avoid retention of moisture.

**Draughtproofing** - using seals around windows and doors.

**Refurbishing historic shutters** - some historic buildings have internal and external shutters that were designed to prevent heat loss in winter and heat gain in the summer.

**Medium Impact upon significance**

The below measures are mostly internal ones, they may require consent if the building is listed. Internal works in conservation areas and non-designated heritage assets are unlikely to require planning permission.

**Insulation of pitched roofs** - insulation can be inserted between the rafters or over the rafters if a building is being re-roofed. Gaps between rafters and insulation needs to be kept to a minimum and the space below needs to be ventilated. Spray insulations are not recommended as they can harm historic fabric by trapping moisture and are hard to reverse.

Sometimes insulation can be installed below an existing ceiling but needs to be airtight. This approach would need consent in a listed building and is unlikely to be acceptable where the ceiling is significant, for example with decorative plasterwork.

**Secondary glazing** - cuts draughts and reduces heat loss through the existing window frames and glass but must allow the window to open for ventilation. Secondary glazing is the Council's preferred approach where the windows are significant and need to be retained. Glazing should preferably be installed in the reveal of the window opening rather than face-mounted to the interior wall.

**High Impact upon significance**

These are interventions that will have the potential to have a greater impact upon significance and may not be acceptable. Most of them are external and would require planning permission and listed building consent where the building is listed.

**Insulating above the roof deck with weatherproofing directly above the insulation** - unlikely to be acceptable on a heritage asset due to the increase in the roof height and change of appearance. May potentially be acceptable on flat roofed buildings where the roof is hidden by a parapet or is not prominently visible.

**Insulating external walls** - whilst this can offer significant improvements in thermal performance it is unlikely to be acceptable for use on heritage assets due to the substantial change in the external appearance of the building. Listed building consent and/or planning permission would be required.

**Insulating walls internally** - effectiveness will be dependent on the factors including the condition of the wall, type of masonry and orientation of the wall. Great care is required to prevent unintended consequences with traditional solid walls such as moisture increasing in the space between the insulation and the masonry which will remain hidden and undetected. Internal insulation can cause problems with thermal bridging and requires existing fabric to be in good condition, along with careful design, correct choice of materials and high standards of workmanship. Listed building consent would be required where the building is listed and would not be acceptable where there are significant internal features.

**Cavity wall insulation** - cavity walls are where there is a gap between the internal and external masonry, this technique only become common after the First World War and comparatively few heritage assets would have been built with them. Cavity wall insulation would not require planning permission, but caution is advised as it can result in moisture problems.

**Insulating solid ground floors** - insulation can affect moisture distribution and the use of impermeable materials can cause the moisture to migrate to walls and adjacent fabric. Permeable insulation materials and the use of a limecrete slab as opposed to a concrete one will allow ground moisture to escape. Listed building consent would be required within a listed building, the works not be acceptable where significant historic floor coverings, such as tiles, will be disturbed. The excavation of the floor may have archaeological implications.

Suspended floors can be successfully insulated where access can be gained from below and is unlikely to require consent. The lifting of historic floors is to be approached with caution as reinstating them can be difficult.

**Replacing windows** - historic windows will in most cases make an important contribution to the significance of historic buildings, where they do so they should be retained and repaired, and secondary-glazing installed if desired.

Most 19th and early 20th century timber windows are made from very high quality slow-grown soft woods and hard woods which would now be almost impossible to source and hence replacements are likely to be inferior. Often neglected historic timber windows can be repaired or decayed elements replaced, rarely is an entire window beyond saving. In exceptional instances where they are beyond repair, they should be replaced with accurate copies, the use of double-glazed units is accepted in cases where that would not alter the appearance of the window. It should be remembered that replacement windows will have a carbon footprint from the production of their materials and their manufacture.

The installation of slim-line double glazed units into historic frames is acceptable where the glass to be removed is modern and not significant. Handmade glass and early machine-made glass should be retained. Replacing the glass will be most successful when used in conjunction with draft proofing as described above.

The installation of upvc double glazed windows will not usually be acceptable on heritage assets as they do not replicate the historic appearance of the timber joinery, particularly on arts and crafts style properties that are found in Birmingham. The replacement of windows will require listed building consent in listed buildings and require planning permission in conservation areas with restricted permitted development rights and on non-domestic buildings where the appearance would be altered. See Section 6 for further guidance on replacing windows.



### Renewable energy measures

Renewable technologies are most beneficial within buildings where energy and thermal efficiency measures outlined above have already been carried out and can make a substantial contribution to generating the required energy for a building and contribute to the reduction of carbon emissions.

### Solar photovoltaic and solar thermal systems

The installation of either solar photovoltaic and/or solar thermal panels on the roof of a listed building will require an application for listed building consent and planning permission. The panels will not be acceptable where they are sited on a prominent roof slope so that they would be visible in significant views of the building. The installation of panels may be acceptable where they are located in roof valleys, on flat or shallow roofs behind a parapet and cause no physical damage to any significant fabric of the building. Where roof mounted panels are not considered acceptable consideration should be given to the potential of installing them on non-significant outbuildings or stand-alone equipment mounted on the ground in a location that does not harm the setting of the listed building.

Planning permission will be needed for the installation of solar photovoltaic or solar thermal panels on a non-domestic building in a conservation area where the roof slope fronts a highway.

The installation of panels on non-listed domestic buildings or flats is permitted development and does not require planning permission. However, the GPDO which outlines permitted development rights states that they should be sited so far as practical, to minimise their effect on the appearance of the building and the amenity of the area and should be removed when no longer needed. Following these principles, the Council recommends that the installation of panels on rear roof slopes, ancillary buildings, roof valleys so they are not prominently visible from public spaces or the highway. Arrays of panels should be arranged in neat rectangular groupings and not scattered across the roof slope in a random fashion. Attempts should be made to try and blend the colour of the array to the existing roof tiles or slates to look less obtrusive. The use of panels with shiny silver coloured metal perimeter frames are discouraged and installations without frames or with frames coloured black are preferred.

On new buildings in historic areas or on extensions to historic buildings it is proposed that in-roof systems which are integrated with the roof covering are used. These replace slates and tiles with solar products that are flush with the roof opposed to sitting above them.

The use of solar photovoltaic roof slates will be considered for use on listed buildings and within conservation areas where they do not result in the loss of significant historic fabric or have a detrimental impact on appearance. Listed building consent and planning permission would be required.

Residents living in Bournville, Edgbaston or Moor Pool are required to additionally seek permission from Bournville Village Trust, Calthorpe Estate and Grainger Estates respectively. They should also consult the relevant design guides and management plans for their area.

### Air source heat pumps

Air source heat pumps extract heat from the external air to heat the building, as with other renewable technology they will be most beneficial in a building where basic improvements to insulation and draughtproofing has taken place. Solar panels can be used to power them. They are not suitable for all buildings and professional advice should be sought about suitability and the required output. Planning permission is required to install a heat pump on elevations or roofs of buildings that front a highway in a conservation area. The Council would not be supportive of such development and recommends that the air source heat pump is installed in a discrete location to the rear of the property. The installation of an air source heat pump on a listed building would also require listed building consent. Again, it is recommended that the equipment is installed at a discrete location, and is not attached to or causes damage to any significant fabric.

Ground source heat pumps are permitted development on non-listed domestic dwellings. Where they are proposed for installation in the curtilage of a listed building consideration should be given to potential archaeological impacts.

### Electric car charging

Electric vehicle chargers are permitted development, but it is recommended that they are installed in a sympathetic and discrete location on a heritage asset. Listed building consent and planning permission would be required to install them upon a listed building.

### Further reading

Energy Efficiency and Historic Buildings, How to improve energy efficiency, Historic England 2018.

Energy Efficiency and Traditional Homes, Historic England Advice Note 14, 2020 The Town and Country Planning (General Permitted Development) (England) Order 2015.





# 9 Making additions to the Birmingham Local Heritage List

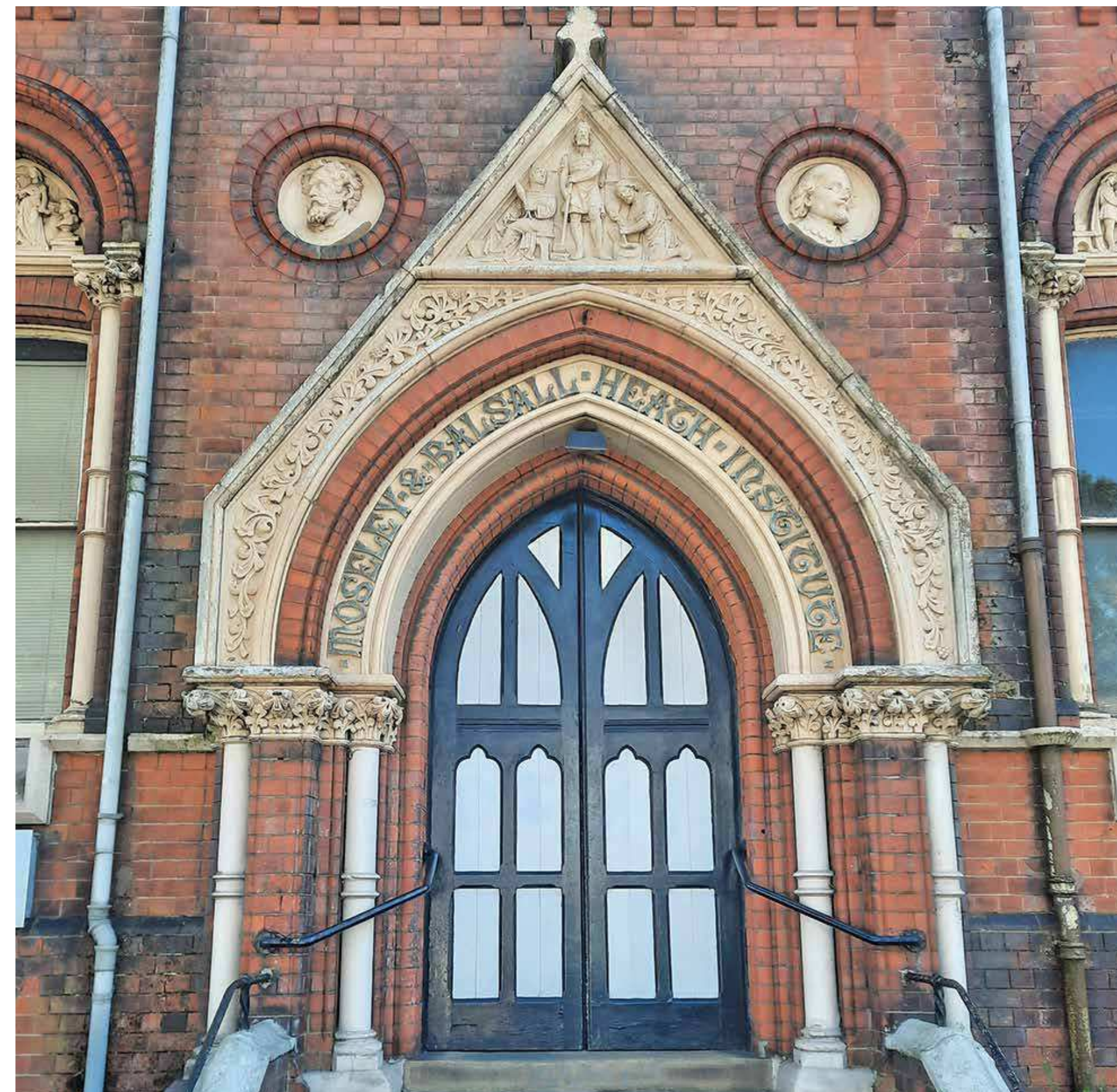
Maintaining and enhancing the Birmingham Local Heritage List is a way for the Council and communities to identify and celebrate historic buildings, archaeological sites and designed landscapes which enrich and enliven their area. See Section 4 for the Council's objectives for the Local Heritage List.

There are five key stages for the addition of heritage assets to the local list:

1. **Identification** - individuals, community groups, amenity societies and Council Officers will nominate potential additions to the Local Heritage List with regard to the approved criteria using the nomination form on the Council's website. All nominations will receive consideration. Sometimes assets will be identified during the planning application process.
2. **Assessment** - the suitability of the nominated potential assets will be evaluated against the criteria by the Council's specialist Conservation staff. The assets which meet the criteria will be selected to be taken forward for the approval process. The nominators will be informed of the result of the assessment and reasons given where it is felt the nomination does not meet the criteria.
3. **Approval** - a draft report on the heritage assets selected to be added to the list and those that have not, will be produced by the Council's Conservation Team. This report will be scrutinised at the Development and Planning Managers

Meeting (attended by the Director, Assistant Directors, and Area Planning Managers) to consider the implications of the recommendations. The nominators, the owners, the tenants, or others with an interest in the asset, the City Council's Conservation and Heritage panel and appropriate amenity society will be consulted on the draft report inviting views on its heritage value and suitability for inclusion in the Local Heritage List. The results of the feedback will be considered and incorporated into a final report which will be taken to the Council's Planning Committee for final approval. It is anticipated that additions to the list will be made on a quarterly cycle unless the need is more urgent.

4. **Publication** - minutes of the Planning Committee meeting will be available on the Council's website detailing the decision. The Birmingham Local Heritage List will be updated and made publicly accessible through the Council's website and the details of each heritage asset will be added to the City's HER.
5. **Review** - the Birmingham Local Heritage List is not a static document and will continue to be added to where appropriate. Likewise, where an asset is lost or is no longer felt to merit presence on the list it shall be removed subject to consultation of relevant parties and approval of the Planning Committee in a process replicating stages 2, 3 and 4 above.





**The Criteria**

The Birmingham Local Heritage List plays an important role in the planning process and to ensure that decision making is robust, the List needs to be underpinned by equally robust criteria to assess which sites should be added to it. The criteria below will be used to assess all nominations for the list and should be read in conjunction with the Statement of Significance in Section 3.

**Buildings and structures**

**Architectural merit/interest**

- Is the building or structure the work of a particular architect or designer of note?
- Has it important qualities of age, style, design, composition, materials, plan, or other distinctive characteristics significant to the Birmingham area?

**Historic interest**

- Does the building or structure display an important aspect of the City’s social, economic, industrial, religious, political, or cultural history?
- Does it serve as a reminder of the development of the settlement in which it stands or of an earlier phase of growth, which may have been masked by later development? Does it provide a tangible link to the pre-industrial City?
- Does it have an historic association with established features such as the transport network, burgage plots, an urban park, or other archaeological or landscape feature?

- Does the building or structure have any significant historical associations with famous people or events?
- Does it have commemorative and symbolic value to the community whereby part of their identity is drawn from it or have emotional links to it?
- Does the asset have social value where people perceive it as a source of distinctiveness, identity, and coherence?
- Does it relate by age or materials or in any other historically significant way to adjacent statutorily or locally designated sites or areas and contribute positively to their setting?
- If a structure is associated with a designated landscape, such as walls, terracing or a garden building, is it of identifiable importance to the historic design?

**Landmark or townscape value buildings**

- Does it have a landmark quality in terms of striking aesthetic value or a strong communal or historical association?

**Group value**

- Does it have group value - is it part of a group of assets with a clear visual, design, architectural or historic relationship?

**Evidential value**

- Does the asset have the potential to yield evidence of past human activity that could be revealed by expert investigation?

**Rarity/uniqueness**

- Does it display an innovation or rare example of a locally distinctive form of construction or use of local materials?
- Is it of great age or date from period when it would have been exceptional?
- Is it unusual in the city or a rare survivor of something that was once commonplace?
- Does it survive with a high degree of physical integrity/nearness to original condition, or degree of preservation?

**Parks and Gardens**

**Historic interest: date**

- Was the landscape designed and laid out in past times, or is it a particularly early example of its landscape type?
- Does it have qualities in terms of layout, planting, furniture, and other features that reflect its date of creation?

**Historic/architectural interest: preservation**

- Is the landscape well-preserved in terms of layout, furniture structures and planting that are recorded at the time of its setting out or at other significant stages in its development?

**Artistic/architectural interest: aesthetics**

- Is the landscape successful in creating an attractive area for recreation or commemoration as a result of its formal design or through fortuitous elements that evolved over time?

**Historic interest: associations with people and past events**

- Was the landscape set out at a particularly significant point in the development of the wider area, such as the creation of a new civic or administrative body or by, or for a locally notable group or individual?
- Does the landscape represent a particularly interesting example of the horticultural or artistic development of its type? Does the design of the landscape have associations with the formation of religious communities and beliefs in the area?
- Are there associations with known designers, or with specific events or individuals?

**Archaeological sites**

- Do physical remains survive (above or below ground), or is there evidence that they are likely to remain, of whatever form (buildings, earthworks, archaeological deposits)?
- Could expert investigation of the site reveal information on the development of Birmingham and the people who lived there?
- Is the site associated with a significant person or event? Is its significance enhanced by the existence of contemporary records and documentation?
- Is there evidence of significant concentrations of objects of archaeological interest, e.g., flint scatters which are not eligible for national designation?

- Is the site a rare surviving example in the city of a particular class of monument?
- Does it form part of a group of sites? Is its significance enhanced by association with related contemporary sites?
- Is the site publicly visible and accessible having important amenity value to the local community?

**Public Art**

- Is the work of a particular artist or designer of regional or local note?
- Does the work derive from or depict an important aspect of the City’s social, economic, religious, political, or cultural history?

**What inclusion on the Local List means?**

The Birmingham Local Heritage List is intended to highlight heritage assets which are of local heritage interest to ensure that they are given due consideration when change is being proposed.

Inclusion of a building or place on the Local Heritage List places no additional legal requirements or responsibilities on property owners over and above those already required for planning permission or building regulation approval.

**Further reading**

Local Heritage Listing: Identifying and Conserving Local Heritage, Historic England Advice Note 7 (Second Edition) 2021.



# 10 Heritage at risk

Birmingham's aim is to sustain heritage through sustainable growth. There are, however, scenarios where this is more challenging and intervention by the City Council may be necessary.

Birmingham's heritage is unique and finite and has undergone significant change during the late 20th century and early 21st century. The decline in the city's historic manufacturing base and the rise of new commerce, new communities, changing fashions, rise and fall in the prosperity and fortunes of the city's various districts, changes in leisure pursuits and new forms of transport has resulted in many buildings and sites becoming under-used or redundant. The loss of use leads to the decline or even abandonment of maintenance regimes, which results in the deterioration of building fabric and eventual dereliction.

The NPPF requires the City Council to set out a positive strategy for heritage assets most at risk through neglect, decay or other threats. The BDP acknowledges the importance of identifying heritage at

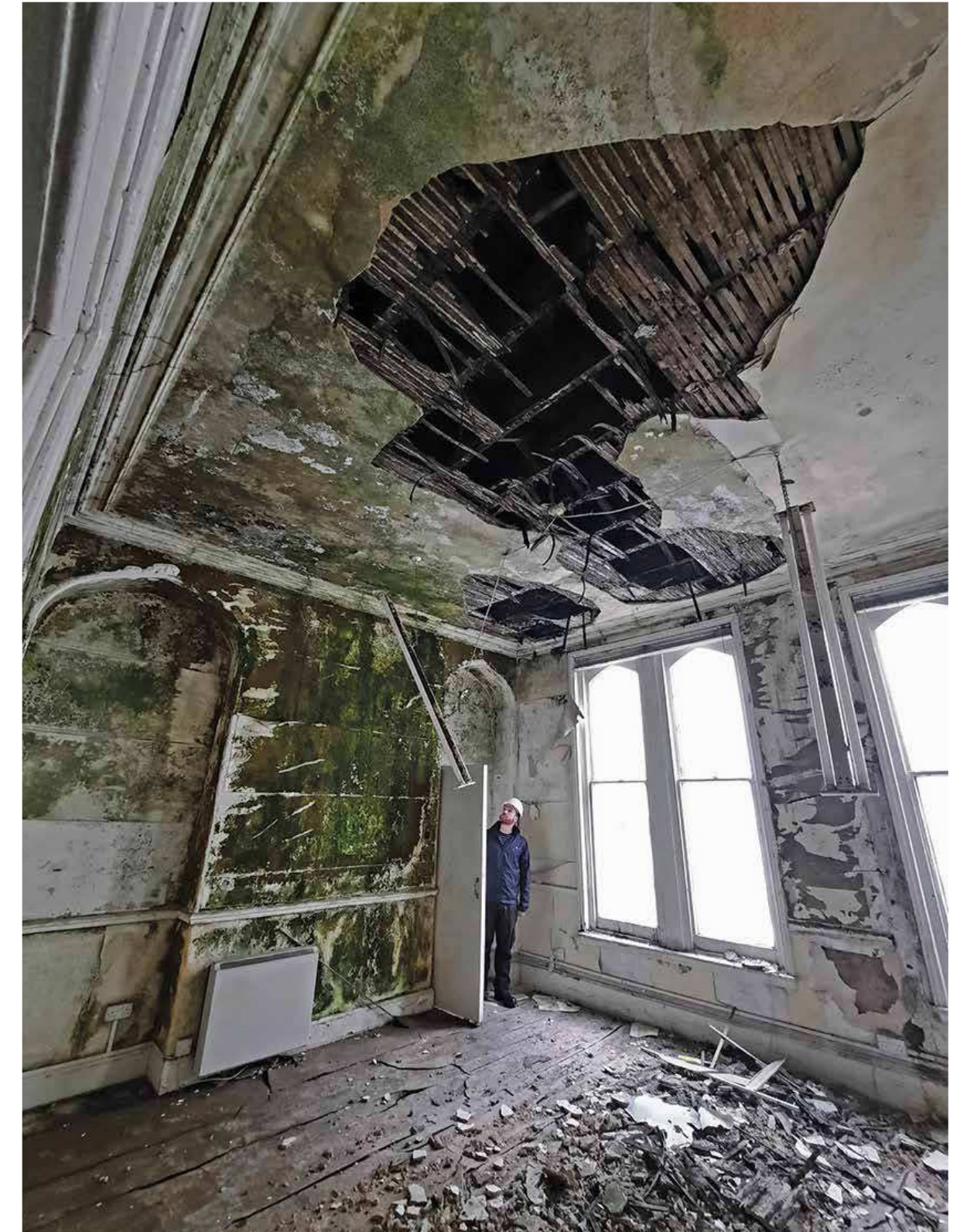
risk and states that the City Council will work towards taking action to preserve significance.

The role attributed to Birmingham's heritage in developing a diverse, creative, sustainable, inclusive, and prosperous city means that the City Council needs to carefully monitor the condition of this finite resource to ensure that targeted action can be taken by the City Council where required to preserve heritage assets deemed to be at risk. By doing this we ensure that these assets will survive and contribute to the city's character whilst providing the homes and workplaces in the future.

To help us achieve our ambitions to retain, repurpose and refurbish heritage assets there is the need for a 'Heritage at Risk Strategy' for Birmingham. This strategy sits in line with the strategic work being undertaken at the national level by Historic England and therefore the Birmingham initiative will complement the wider effort in regenerating heritage across the West Midlands conurbation.

## Objectives for Birmingham's Heritage at risk

- To identify listed and locally listed heritage assets and significant buildings within conservation areas that are at risk from serious deterioration leading to potential loss and create an 'at risk register' for the city.
- Identify cases where there is evidence of deliberate neglect.
- To use the at risk register to target heritage assets where the Council can use its statutory powers arrest serious deterioration in historic fabric.
- To work with property owners to find long term solutions to repairing and finding appropriate uses for assets deemed at risk.
- To work with building preservation trusts to secure viable futures for buildings at risk.
- To prioritise heritage assets that may be eligible for grant schemes.





**What is heritage at risk?**

Heritage at risk are heritage assets that have been identified as being at risk through neglect, decay or subject to unsympathetic work. The buildings and structures can range from those that are in a serious state of disrepair to those which are in need of relatively minor repair work to prevent them becoming vulnerable. At risk buildings can be vacant or inhabited buildings. Archaeological sites can become vulnerable to a variety of natural or use-related factors that require management.

Historic England has published its national Heritage at Risk Register since 1998 which is updated annually and is used to prioritise the organisations activities. The national register though does not assess all heritage assets and focuses on the highest grades of designated assets. Those included are:

- Grade I and II\* listed buildings.
- Places of worship.
- Scheduled Monuments.
- Registered Parks and Gardens.
- Conservation Areas.

The register does not include Grade II listed buildings which nationally represent the vast majority of statutory listed buildings (91.7%), or locally listed heritages assets. The vast majority of Birmingham’s designated, and non-designated heritage assets will not be covered by the National Register and the Council needs to fill this gap in coverage and knowledge.

The City Council does contribute to maintaining the National Heritage at Risk Register by annually reviewing progress with the existing Grade I and II\* entries and assessing the condition of all the city’s conservation areas.

**Why do some heritage assets become at risk?**

There are a number of reasons why a heritage asset may become at risk.

**Redundancy**

Buildings can become disused through changes in technology, demography, economic patterns, popular taste, or government policies. Churches, libraries, hospitals, public houses, industrial buildings, farm buildings, police stations or even residential buildings are just a few examples. Less obvious problems are faced by traditional high street shops, many of which have unused and poorly maintained upper floors that put the whole property at risk. Often buildings can lie redundant for years and without regular maintenance their condition can deteriorate before a new use is identified, leading in some cases to pressure for their demolition. Empty buildings can also attract vandalism and anti-social behaviour which can blight the environment of the surrounding area. By intervening and targeting action it is the City Council’s intention to prevent buildings reaching this stage. In most cases new uses could be found.

**Owners**

Some owners will fail to maintain their buildings for an array of personal reasons ranging from ill health to financial issues or family disputes. Resolution of these issues will require a different approach to that taken to resolve problems related to redundancy.

**Location**

The location of a building can also be a problem. The building may have been isolated by poorly considered development or lie within an area that is characterised by neglect. These scenarios can be reversed

as the restoration of these buildings can often be a key factor in the regeneration of the area. What was a local eyesore can be transformed into a building that local residents can be proud of, enhancing the quality of the environment and providing possibilities for employment, housing or community use.

**Compiling the Birmingham Heritage at Risk Register**

The Birmingham Heritage at Risk Register will not duplicate the work that Historic England are already doing on the highest grades of designated assets and will instead concentrate on the city’s Grade II listed buildings and assets upon the Birmingham Local Heritage List. These two classes of heritage assets comprise over 1800 sites and it will not be possible to systematically survey the condition of every building, every year, due to the manpower and time that would be required and so other methods will be needed, these include:

- An intelligence-led approach, sites observed by or reported to the city’s Conservation Officers, by residents, Councillors, or fellow officers.
- Area led surveys by volunteers or community groups including the West Midlands Building Preservation Trust Heritage at Risk Survey project.
- Thematic surveys led by special interest groups and amenity societies.

Once reported the site will be visited by one of the Council’s Conservation staff and will be assessed as to whether it is ‘at risk’. The pro forma form for the assessment can be found on the Council’s website. The Council will look to utilise technology to enhance the survey process.

**Assessment criteria**

The core principle of the Heritage at Risk survey is to determine a risk category for each heritage asset by combining the circumstances of occupancy with the physical condition of the building.

The occupancy of the asset is defined by five categories:

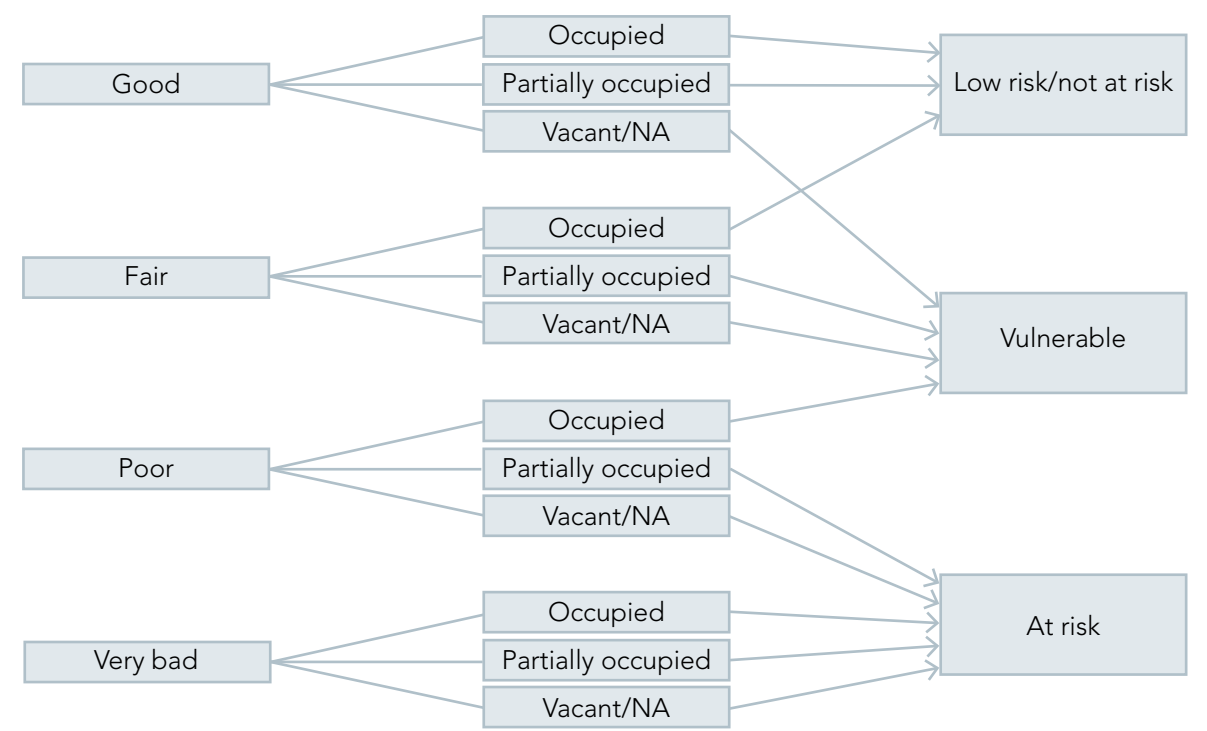
- Occupied, partly occupied, vacant, not applicable, and unknown. Some types of assets for example archaeological sites or statues cannot be ‘occupied’ and they will be assessed on condition alone.
- The condition of the asset is determined by the external assessment of six individual building components which have been divided into eight categories: roof and chimneys, rainwater goods, wall structure, doors, windows, architectural details, interior, boundary treatment.
- Each component is then rated within four categories and taking into account all the evidence the overall condition is rated within the same categories (Table 1).

The overall risk assessment is calculated by a combination of condition and occupancy, using Table 2. Structures which cannot be occupied are assessed of condition alone.

**TABLE 1**

Good	Structurally sound; weathertight; no significant repairs needed.
Fair	Structurally sound; in need of minor repair; showing signs of a lack of general maintenance.
Poor	Deteriorating masonry; leaking roof, defective rainwater goods, usually accompanied by rot outbreaks; general deterioration of most elements of the fabric, including external joinery; or where there has been a fire or other disaster which has affected part of the structure.
Very bad	Structural failure or clear signs of structural instability; loss of significant areas of the roof covering, leading to major deterioration of the interior; or where there has been a major fire or other disaster affecting most of the building.

**TABLE 2**





**Priority for action**

Following assessment if the asset is found to be not at risk or low risk, no further action will be taken; if the asset is found to be vulnerable it will be kept on record and monitored to check for deterioration. In some instances, it may be beneficial to approach the owners of vulnerable assets to raise concerns even though they are not currently worthy of more formal action. It is important that the City Council intervene where needed to prevent assets reaching the 'at risk' category.

For assets that are identified as at risk and included on the register, priority for action is assessed on a scale of A to F, whereby A is the highest priority for a building which is deteriorating rapidly with no solution to secure its future, and F is the lowest priority where a repair scheme is in progress and an end use has been secured (Table 3).

For assets identified as 'at risk' Priority grade A, B, C or D, the Council's Planning Enforcement Team will be contacted, and an enforcement case opened on the asset. The work will be in accordance with the City Council's Planning Enforcement Plan whose objectives include:

TABLE 3	
A	Immediate risk of further rapid deterioration or loss of fabric; no solution agreed.
B	Immediate risk of further rapid deterioration or loss of fabric; solution agreed but not yet implemented.
C	Slow decay: no solution agreed.
D	Slow decay: solution agreed but not yet implemented.
E	Under repair or fair to good repair, but no user identified; or under threat of vacancy with no obvious new user (applicable only to buildings capable of beneficial use).
F	Repair scheme in progress and (where applicable) end use or user identified: functionally redundant buildings with new use agreed but not yet implemented.

- To protect and enhance the City's heritage assets and historic environment.
- To preserve significant buildings in Conservation Areas and ensure that any development maintains or improves the special character of those areas.
- To protect the amenity of occupiers and nearby residents/occupiers.

Initially officers will contact the owners by obtaining ownership details from a combination of sources that include any tenant of the property, HM Land Registry, a Requisition for Information Notice, or a Company Search.

The City Council then will write to the owners expressing concerns about the condition of the heritage asset and requesting to meet with them and inspect the building. The Council will bring appropriate specialist advisors as required.

The City Council has rights of entry to a property under the Planning (Listed Buildings and Conservation Areas) Act 1990 or the Town and Country Planning Act 1990. Where the Council experiences difficulty in gaining access, they shall obtain a warrant of entry from the Magistrates Court.

The Council will intend to resolve all issues relating to heritage at risk through negotiations with owners and their agents. Following a site visit the City Council will write to the owners listing the works that need to be addressed to remedy the situation. If negotiations fail to achieve a satisfactory remedy to preserve the heritage asset, the City Council will look to take one or more of the formal courses of action listed below.

- Action under Section 215 of the Town and Country Planning Act 1990 where amenity of part of an area is adversely affected by the condition of land in the area. This can require the repair of a building and/or tidying of land and can be used on listed and locally listed heritage assets and within conservation areas.
- Action under Section 54(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring that Urgent Works are carried out to secure the preservation of a listed building or a non-listed building within a Conservation Area.
- A Repairs Notice under Section 47 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring repairs to a listed building and potential acquisition of the listed building if steps to properly preserve the building.

There may be certain instances where it is more appropriate to work with building control and housing colleagues and use the courses of action available to them:

- A Dangerous Structures Order under Section 77 of the Building Act to make any dangerous building safe.
- A Section 78 Notice under the Building Act 1984 requiring emergency measures to any building in a dangerous condition, to remove that danger.

- A Section 79 Notice under the Building Act 1984 where any building is in a ruinous or dilapidated condition that is seriously detrimental to the amenity of a neighbourhood, for the owner undertake works of repair or restoration.
- Action under Section 17 of the Housing Act 1985 which enables a local housing authority to acquire any vacant houses or buildings which may be suitable for housing purposes.
- An Empty Dwelling Management Order under Section 132 of the Housing Act 2004 which allows local housing authorities to take over the management of any long-term privately owned empty homes.

In most of the courses of action above the City Council can carry out works by default if the owner fails to do so. The City Council will make provision for funding to be available to carry out the required works and for this to be recovered from the owners later.

Where action is likely to result in the acquisition of a building through compulsory purchase the City Council will provide resources to perform this process. The City Council will work with developers or building preservation trusts to enable a back-to-back transfer of the property to them to restore the building.

Assets will only be removed from the register when they are fully repaired or consolidated, their future secured and where appropriate occupied or in use.

**Further reading**  
Birmingham Local Enforcement Plan (Planning Enforcement). Birmingham City Council, May 2021.

Stopping the Rot, A guide to enforcement action to save historic buildings, Historic England, 2016.





# 11 Archaeology

Archaeology is the human past represented by a range of man-made structures and objects, industrial residues, and evidence for past environmental conditions. Archaeology covers the whole of the human past, from earliest times to the present day.

A heritage asset will have archaeological interest if it holds, or has the potential to hold, evidence of past human activity that is worthy of expert investigation. Archaeological evidence survives in a wide variety of forms, which include buried remains, structures visible above ground, individual objects and groups of objects, microscopic plant and animal remains, and historic landscapes.

Birmingham contains an exceptional range of archaeological remains for an intensively developed urban area, telling us about how people lived and worked here and about the landscapes and environment they inhabited. Archaeological remains in the city include both visible standing structures and features along with buried remains, they contribute to the City's character and identity, they are also an educational resource and a source of considerable public interest.

Birmingham's archaeological remains consist of Scheduled Monuments that are designated heritage assets which are recorded on the NHLE, and non-designated archaeological remains including sites and areas of archaeological potential that are recorded upon the HER and others yet to be identified.

There are 13 Scheduled Monuments within the city boundary ranging from the prehistoric burial mound at Kingstanding to the medieval moated manor house at Weoley Castle. In contrast to this, relatively short list, of designated archaeological heritage assets are the hundreds of sites of archaeological interest recorded on the HER. These range from scatters of prehistoric flint artefacts found on the ploughed fields in the city's green belt, to sites of ground-breaking industrial enterprise such as the Matthew Boulton's Soho Manufactory in Handsworth.

Whilst Scheduled Monuments are designated and administered by national government via Historic England, the responsibility for the protection and investigation for the vast majority of the nation's non-designated archaeological remains is the responsibility of local government and dealt with through the planning system.

Archaeological remains are finite and non-renewable. It is therefore essential that they are properly safeguarded, in line with national guidance, the Council's own policies, and recognised best practice, without preventing or discouraging the development which is essential to Birmingham's future. Indeed, archaeological remains can play a positive role in regeneration, providing a context for future development.

To achieve this the Council firstly attempt to ensure that application sites with archaeological interest are identified as early as possible in the planning process, secondly that the sites are then assessed as to their potential to yield information on the past. If significant remains survive the Council will then determine the degree to which they will be impacted upon by the development. If the remains are impacted the Council will require them to be recorded ahead of the development. Archaeological remains that have very high significance may need to be preserved in situ and the development designed to accommodate them.

See Section 5 for the Council's objectives for archaeological investigation in Birmingham







### Birmingham's Archaeological Resource

The archaeological work which has been undertaken ahead of new development, through the planning process since the 1990s has transformed our understanding of Birmingham's past. This has led to greater recognition of the extent, survival, and significance of archaeological remains.

The following summarises the current state of knowledge by chronological period and the potential for further discoveries and reviews the known and potential archaeology in terms of current land use in different parts of the city.

#### Early Prehistoric Birmingham (Before about 1500BC: Palaeolithic, Mesolithic, Neolithic, and Early Bronze Age)

The early prehistoric period is mostly represented by flint tools or flint working debris that has either been found by chance during ground disturbance or has been recovered from systematic collection on agricultural land, principally from fields in the Sutton Coldfield area. However, excavations in the city centre near New Canal Street have identified peat deposits rich in pollen and containing worked flints. These deposits were radiocarbon dated to between the late upper Palaeolithic to early Mesolithic and are evidence of human occupation and the landscape 10,000 years ago. Further environmental data from the Mesolithic and Neolithic has been recovered from Perry Barr close to the River Tame and within Sutton Park.

Early prehistoric structural remains or concentrations of objects of this period are particularly significant in the Birmingham area because of their relative rarity. They are hard to predict and may be found in correlation with surface finds of objects or by chance on sites known or expected to be of later date. The river valleys have particularly good potential for settlements and environmental remains. Extensive archaeological excavation may be necessary to investigate sites of this date, and radiocarbon dating along with thorough environmental sampling will be essential.

#### Later Prehistoric Birmingham (about 1500BC to AD43: Late Bronze Age and Iron Age)

In addition to bronze axes and flint tools found by chance, nearly 40 Bronze Age burnt mounds have been found in Birmingham. These mounds of heat shattered stone date to the late Bronze Age and are usually found adjacent to streams. Contemporary settlements are harder to find, but one was identified by chance during investigations on a stretch of Roman road in Perry Barr with post holes and pits which dated from the late-Bronze Age to the middle-Iron age. An Iron Age farmstead was also found in the Sutton Coldfield area during the building of the M6 Toll at Langley Mill.

Later prehistoric structural remains or concentrations of objects of this period are particularly significant in Birmingham because of their relative rarity. They may be found during the investigation of sites known or expected to be of later date such as the one at Perry Barr. Water courses have the potential for burnt mounds and associated settlements may be located nearby. Iron Age settlement sites found in the surrounding rural area are likely to be present in the urban area too but are harder to locate due to existing development. Extensive archaeological excavation may be necessary to investigate sites of later prehistoric date, and radiocarbon dating along with thorough environmental sampling will be essential.

#### Roman Birmingham (AD43-410)

Two Roman period settlement sites only 1km apart have been found near Kings Norton whilst Roman period enclosures and a field system have been found in Sutton Coldfield. Like the Iron Age settlement, it is likely that the density of settlements found in the rural surrounding areas would be repeated under the current urban area. Pottery kiln sites are known at Wellington

Road Perry Barr and Sutton Coldfield, whilst the small quantity of Roman pottery from the excavations in the Bull Ring suggest a farmstead would have existed in what is now the city centre. The most notable Roman period site in Birmingham is the fort at Metchley close to Birmingham University, which sat in the centre of a network of roads that extended out across the West Midlands area. The roadside ditches on a length of Icknield Street Roman Road were excavated at Holford Drive in Perry Barr and an extant section of the same road survives 1.5 miles in length in Sutton Park.

The potential number of Roman settlement sites in the city is indicated by the density of discoveries in the Sutton Coldfield area, and in Kings Norton. The discoveries in the Bull Ring demonstrate how objects and structures of this period may be found on sites known or expected to be of later date. Roman period roads would have crossed the now urban area and settlements are likely to exist in close proximity to these roads.

#### Anglo-Saxon Birmingham (AD410-1066)

The evidence for the Anglo-Saxon period in Birmingham is limited to a few chance finds and placename evidence of early medieval origin. By analogy with neighbouring areas early-mid Anglo Saxon settlement sites may have been individual dwellings opposed to nucleated villages and there may have been some continuity with late Roman settlements. Place-name evidence suggests that some of Birmingham's village centres like Yardley may have existed by the 9th century. Harborne and Aston are suggested as the possible sites of minster churches.

It is difficult based on existing evidence to predict the location, size, and character of early and mid-Anglo-Saxon settlements in Birmingham, but remains of this period may be found on Roman sites. Remains of the late Anglo-Saxon period may be found in former village centres.

#### Medieval Birmingham (AD1066-1550)

The archaeological remains of this period consist of surviving buildings, earthworks, excavated remains and associated artefacts. The excavations that took place ahead of the Bull Ring development in the late 1990s and other more recent work in nearby Digbeth and Deritend transformed our understanding of the medieval town. They demonstrate that Birmingham was an important market town and industrial centre from the 12th century onwards. Limited archaeological work has been carried out in the medieval village centres like Kings Norton but has demonstrated the archaeological potential of these settlements for both buried remains and within their surviving medieval buildings. Fragments of medieval landscape survive on the edge of the city and within the urban area including moated sites like Weoley Castle, field systems near Sutton Coldfield and the hunting park at Sutton Park.

Excavations in the Bull Ring, Digbeth and Deritend environs have repeatedly revealed archaeological remains of the medieval town and it is likely many sites in these parts of the city will have similarly good survival. Very little archaeological work has taken place in Birmingham's other medieval town, Sutton Coldfield, but it is likely to contain areas of good archaeological survival. The medieval villages that were subsumed by the expanding city in the 20th century such as Kings Norton, Yardley and Harborne amongst others are also of high archaeological potential for buried remains. Isolated farmsteads and moats should also be investigated for medieval antecedents. Sutton Park is a remarkable survival of a historic landscape enclosed for a hunting park in the 12th century. Surviving medieval structures also have the potential to reveal significant information through historic building recording and tree-ring dating is essential.



### Post Medieval Birmingham (AD 1550-present day)

From the 17th century Birmingham grew to become one of the principal pioneering industrial centres of the world's first industrial nation. In the city centre most of the standing buildings of this period, predating the early 19th century, have been lost, whilst only a limited number survive in the suburbs. The buried archaeological remains of this hugely significant period, augmented by surviving historic documents, are therefore of particular importance to the city. Excavations of sites like the Soho Manufactory in Handsworth, the Gas Retort House in the city centre and the Soho Glassworks in Hockley have provided evidence of their products, technological developments, and the working conditions of the employees. Birmingham's 90 watermills and their pools and leets demonstrate the importance of water to power the industrial revolution in the processes of rolling and grinding metal. Excavations at Curzon Street examined the remains of one of the world's earliest mainline railways and the rapid advances that were made to transport technology and infrastructure. Excavations of cemeteries at St Martin's and Park Street has given an important insight into the health of the population, their identity, and burial practices. Building recording in the Jewellery Quarter has revealed how the trade evolved from numerous small domestic workshops engaged in the production of a vast array of precision metal goods into the large purpose-built manufactories of the late 19th century and an industry of international repute.

Archaeological remains of this period, both above and below ground, are vulnerable because of the under-appreciation of their significance and their physical location being the uppermost deposits in the sequence. The Post Medieval period was one of profound importance to Birmingham as the medieval market town grew to be an industrial centre of international

importance. The loss of much of Georgian period Birmingham means that much of the evidence for the buildings, the technological developments and lives of the population are contained solely within the buried archaeological remains. Unlike earlier periods the location of many sites will have been well-mapped and are relatively easy to locate, however archaeological investigations, both above and below ground will need to be allied with building recording, documentary research and specialist scientific analysis to extract their full potential.

#### Archaeology in the Planning process

This section explains archaeology in the planning process and what happens when a proposed development is likely to affect archaeological remains. It stresses the importance of early consultation about the archaeological implications of a proposed development and the process of assessment and evaluation to inform decision making required by the NPPF.

It also explains the archaeological requirements for different parts of the city, the importance of professional standards in archaeological work and the need to make the results of the discoveries publicly available.

The process for archaeology in the planning process is summarised by the flow charts in Appendices 2 and 3.

#### Pre-application

In the first instance developers are strongly advised to contact the City Council's archaeology advisor or obtain the services of an archaeological consultant when they are identifying potential development sites, to find out whether there are likely to be archaeological requirements, and what further work might be required. It is recommended that developers make use of the Council's pre-application enquiry process so that archaeology is considered alongside other policy issues.

Where a site boundary includes or partially includes a Scheduled Monument the developers should also contact Historic England as it will also be subject to the Scheduled Monument Consent regime as well as planning permission.

Types of development which may affect archaeological remains include new buildings, modification of or extension to existing buildings, construction of car parks, roads, the installation of drainage and services, and hard and soft landscaping.

The City Council's response to development proposals affecting archaeological remains will have regard to national and regional archaeological research frameworks and agendas.

As part of its guidance to potential developers the City Council will ensure that known and potential archaeological implications are included and clearly stated in any city-wide or site-specific SPD and other planning policy it prepares, such as local action plans, development briefs and local development documents

The City Council will expect all archaeological work in the City to be undertaken in accordance with the Chartered Institute for Archaeologists Codes of Conduct (2021) and their current Standards and Guidance documents to ensure that it is consistent with best professional practice.

Through early consultation developers and potential developers can reduce uncertainties, avoid unexpected discoveries, and ensure that the archaeological requirements are incorporated into the design process. Additionally it can ensure that the cost of archaeological work is included in the project budget and the time that is required for archaeological work is incorporated into the development programme.

The proper management of archaeological remains through the planning process does not necessarily preclude development but may determine how development can take place. For example, the discovery of significant archaeological remains in one area of a site may necessitate a change of design so that the area is used for amenity space or car parking rather than for a building.

The cost of all archaeological work necessitated by proposed development must be met by developers, therefore it is in developers' interest to address and quantify the cost and time implications at an early stage in the process.

Where existing information suggests that a proposed development is likely to affect archaeological remains, above or below ground, the City Council will require a Planning Application or application for Listed Building Consent to be accompanied by an archaeological assessment. The initial stage would be the production of an archaeological desk-based assessment to assess the potential of the site using information contained in the Birmingham HER, historic maps and plans, documentary sources, aerial photographs, and ground investigation data.

Where scoping has identified that archaeological remains are likely to be affected by a proposed development, an Environmental Impact Assessment which does not contain an adequate assessment of the archaeological impact of the proposed development and proposed mitigation measures will not be acceptable.

### Areas of Birmingham with their likely archaeological implications

Many areas of archaeological potential are identified on the Birmingham HER; these areas are not comprehensive or definitive and will continue to be revised in line with ongoing research. Planning applications for development involving significant ground disturbance or alteration to historic buildings within the areas listed below should be accompanied by an archaeological assessment.

**The City Centre.** The historic core of Birmingham city centre, including Digbeth and Deritend.

**The urban areas beyond the City Centre.** These include the cores of historic settlements located outside of Birmingham city centre that are now predominantly residential suburbs. The town centre of Sutton Coldfield and former village centres and smaller settlements of early origin are likely to contain sites of archaeological potential.

#### Industrial land beyond the City Centre.

These are areas that have been the focus of industrial activity for several centuries. They will potentially contain several phases of industrial remains including both below-ground archaeological remains and standing structures.

**Agricultural land and open spaces.** Fields surrounding the city and open spaces within the urban area have the potential for archaeological remains. Instances could include green belt development on the edge of the city, or the regeneration of recreational spaces located amongst 20th century housing developments within the urban area.

The assessments will be proportionate to the extent of proposed development and the archaeological sensitivity of the location as indicated by existing information on the HER. The assessment stage should include

an archaeological evaluation with trenches where it is practicable. If the assessment shows that archaeological remains are likely to be affected by the proposed development, the City Council will require archaeological excavation and/or building recording in advance of commencement of development if preservation of archaeological remains in situ is not merited or cannot be realistically achieved.

If the assessment demonstrates on the balance of probability that archaeological remains were unlikely to be present or that there might once have been potential, but this has been removed by later developments like basements or quarrying then no further work is likely to be required.

If a desk-based assessment concludes that there is the potential for archaeological remains to be present and to survive, then the assessment will move to the next stage of intrusive evaluation.

Planning applications in Birmingham have been refused on archaeological grounds, where inadequate information was provided on the archaeological implications of the proposed development or where the proposed development would have had an adverse effect on archaeological remains which merited preservation.

The City Council archaeology advisor will prepare briefs for archaeological work if requested as part of the planning process and will advise on the fitness for purpose of Written Schemes of Investigation prepared for the archaeological work. They will also monitor the archaeological work as it is undertaken. The Council's advisor will also comment on reports prepared by archaeological consultants and contractors. The Council advice will be provided in line with the Chartered Institute for Archaeologists (CIFA), Standards and Guidance for Archaeological Advice by Historic Environment Services (2014).



**Archaeological evaluations**

On sites where the potential for significant archaeological remains is identified an evaluation consisting of a limited amount of fieldwork to define the character, extent, quality and preservation of the archaeological resource will be required. It will normally consist of excavated trenches with limited hand excavation of any archaeological features to establish their character and date. Evaluations may also involve additional techniques including analytical recording of historic buildings, test pitting, or the coring or auguring of sediments. In the open areas/non-urban areas of the city, geophysical survey may be required as part of the evaluation along with fieldwalking or earthwork survey.

The scope of the evaluation will be detailed in a Written Scheme of Investigation prepared by the developer’s archaeological contractor or consultant which has been approved by the Council’s archaeology advisor. Sometimes it will follow a brief that has been prepared by the local planning authority or sometimes the WSI will be agreed between the consultant and contractor without the need for a brief.

Ideally the evaluation will be carried out prior to the design of the development scheme and determination of the application. This is particularly important where it is believed the site has a high potential for significant remains and the development could result in a high level of harm. This is not always possible in urban areas as many sites may have occupied buildings standing upon them preventing access for trenching. In these cases, the

evaluation may have to be conditioned and carried out post-determination with the associated risks that this brings to costs and programming.

Carrying out the evaluation at an early stage before a design is finalised is beneficial to the developer as it gives them more options including full or part preservation insitu by amending the design. If excavation of the remains is agreed course, then the developer will be better positioned to quantify the costs of the work and the time it will take.

Planning permission will not be granted if the assessment of the archaeological implications of the proposed development is inadequate.

Harm to nationally important archaeological remains and their settings, either designated scheduled monuments or non-designated archaeological remains of equivalent significance to scheduled monuments must be wholly exceptional and should be preserved intact and in situ. The City Council will apply the Secretary of State’s non-statutory criteria for scheduling, and designation guides in identifying whether a particular site is of national importance. The City Council will seek advice from Historic England where it considers that archaeological remains affected by development proposals are of national importance and will consult Historic England on specialist areas such as archaeological science and unusual site types. Applications that result in substantial harm to nationally important archaeological remains will usually be refused.

**Archaeological mitigation**

Where the evaluation stage demonstrates that significant archaeological remains are present and will be impacted upon by the development, the remains will either need to be preserved insitu beneath the development or excavated and preserved by record.

The City Council will encourage the preservation of archaeological remains within a new development as its preferred option, especially those judged to be of significance equivalent to a scheduled monument. This does not necessarily preclude development because it can be achieved through design and layout of the development. The City Council will encourage innovative design to ensure in-situ preservation of archaeological remains as part of new development and to reinforce local character and identity. Conditions may be applied requiring the design of foundations to be submitted for approval to ensure preservation insitu.

For remains judged to be of less than national significance the Council’s preferred option may still be preservation insitu, but if this is not considered feasible or necessary then the remains can be archaeologically excavated and preserved by record. In this instance an archaeological condition for mitigation works will be attached to the planning permission that has been granted. Sites may be part-preserved insitu and part-excavated.

Planning conditions requiring archaeological work will state that a written scheme of investigation for the work must be submitted to the local planning authority for approval. These will normally be prepared by the developer’s archaeological consultant or contractor in consultation with the City Council’s archaeological advisor, or in accordance with a brief prepared by the archaeological advisor. The methods must be proportionate and appropriate to the known and potential archaeological remains. For excavation, the written scheme of investigation will describe the extent of excavation, the percentage excavation of each feature and deposit, the sampling programme for environmental deposits and industrial residues, and a radiocarbon dating programme where applicable.

Archaeological recording may also consist of, or include, the detailed recording of a historic building where total loss or substantial alteration is proposed.

Conditions requiring an archaeological watching brief during development to observe groundworks being undertaken and recording any archaeological remains exposed will be applied on smaller developments or on sites where the archaeological potential is felt to be limited. Watching briefs may also be used as an adjunct to excavations or to monitor the implementation of preservation in situ schemes.

Conditions will not be discharged until the on-site archaeological work has been completed to the satisfaction of the City Council’s archaeological advisor. Written proof will also be required that the applicant has satisfactorily secured by contract the implementation of post-excavation assessment, analysis, the preparation of a publishable report and the publication in a recognised journal or series which will be carried out in accordance with an approved timetable.

All archaeological work required in Birmingham as a condition of planning permission must be undertaken in accordance with the project management structure described in Historic England’s Management of Research Projects in the Historic Environment (MoRPHE) (2015). It must also include satisfactory arrangements for deposition of the archive, including finds, arising from the work.

Failure to carry out the development in full accordance with the Written Scheme of Investigation will result in enforcement action being taken which may involve the development work on site being stopped until the archaeological work has been completed.







### Post-excavation analysis and publication

The post-excavation analysis, report production and publication of the results is of vital importance as it forms a permanent record that replaces what has been lost by excavating it.

As well as the scope of the excavation/mitigation works, the WSI must also include provision for post-excavation analysis, the preparation of a report and publication in a recognised journal or series and proposals for the preparation and deposition of the archive.

- Final reports (including evaluations on sites where no remains were found) should be submitted to the Birmingham Historic Environment Record.
- Details of the project should be entered on to the Online Access to the Index of Archaeological Investigations (OASIS V) project.
- A short summary of the project should be submitted to the CBA West Midlands Group for inclusion in the annual West Midlands Archaeology publication.
- The compilation of the archive should comply with the CIFA Standard and Guidance for the Creation, Compilation, Transfer and Deposition of Archaeological Archives 2020.

- Archives must be submitted to an appropriate depository for long term storage. Physical archives should be deposited with Birmingham Museums in accordance with Archaeological Archive Standards; A Standard for the Creation, Compilation and Transfer of Archaeological Archives in Birmingham (2019).
- The digital archive should be deposited with the Archaeological Data Service (ADS) on completion of the archaeological programme.

### Enforcement

The City Council will take enforcement action where developments proceed on site without being in full accordance with the approved Written Schemes of Investigation, or where the applicant fails to submit the required report within the approved timetable. The City Council will use Temporary Stop Notices and Planning Enforcement Notices as appropriate.

### Unexpected discoveries

In cases of unexpected archaeological discoveries, or discoveries of unexpected complexity or importance the City Council will encourage developers to enter discussions to consider ways in which these remains can be preserved or recorded. The unpredictability of archaeological remains means that despite all appropriate assessments there will be occasions when archaeological remains are unexpectedly discovered during development.

### Public benefits

It is important that the public benefits of archaeological work are maximised, and that discoveries are displayed and interpreted so they can be enjoyed by the public. During archaeological work required on site as a condition of planning permission, the City Council will encourage the developer to make provision for public viewing from the site boundary and provision of information at such viewing points. The provision of open days and online dig-blogs are encouraged subject to health and safety and commercial confidentiality concerns.

The City Council may also attach conditions or enter into planning agreements for the long term, public interpretation of archaeological discoveries on sites which are publicly prominent. These could consist of information panels or other means to interpret the findings such as interpretive landscape designs.

The City Council will encourage and assist the developer to publicise the results in the press and other media.

### Further reading

Planning and Archaeology, Historic England Advice Note 17. 2022.



# Appendix 1

## Local Plan Policy

**Birmingham Development Plan adopted January 2017**

**Policy TP12 Historic Environment**

The historic environment consists of archaeological remains, historic buildings, townscapes and landscapes, and includes locally significant assets and their settings in addition to designated and statutorily protected features. It will be valued, protected, enhanced and managed for its contribution to character, local distinctiveness and sustainability and the Council will seek to manage new development in ways which will make a positive contribution to its character.

- Great weight will be given to the conservation of the City's heritage assets. Proposals for new development affecting a designated or non-designated heritage asset or its setting, including alterations and additions, will be determined in accordance with national policy.

- Applications for development affecting the significance of a designated or non-designated heritage asset, including proposals for removal, alterations, extensions or change of use, or on sites that potentially include heritage assets of archaeological interest, will be required to provide sufficient information to demonstrate how the proposals would contribute to the asset's conservation whilst protecting or where appropriate enhancing its significance and setting. This information will include desk-based assessments, archaeological field evaluation and historic building recording as appropriate.
- Where it grants consent for proposals involving the loss of all or part of the significance of a designated or non-designated heritage asset, the City Council will require archaeological excavation and/or historic building recording as appropriate, followed by analysis and publication of the results.

- Initiatives and opportunities to mitigate the effects of climate change by seeking the reuse of historic buildings, and where appropriate, their modification to reduce carbon emissions and secure sustainable development - without harming the significance of the heritage asset or its setting - will be supported.
- Opportunities for information gain through investigations as part of proposed development will be maximised and such information will be widely disseminated.
- Innovative design which retains the significance of the heritage asset(s) and is integrated with the historic environment will be encouraged.

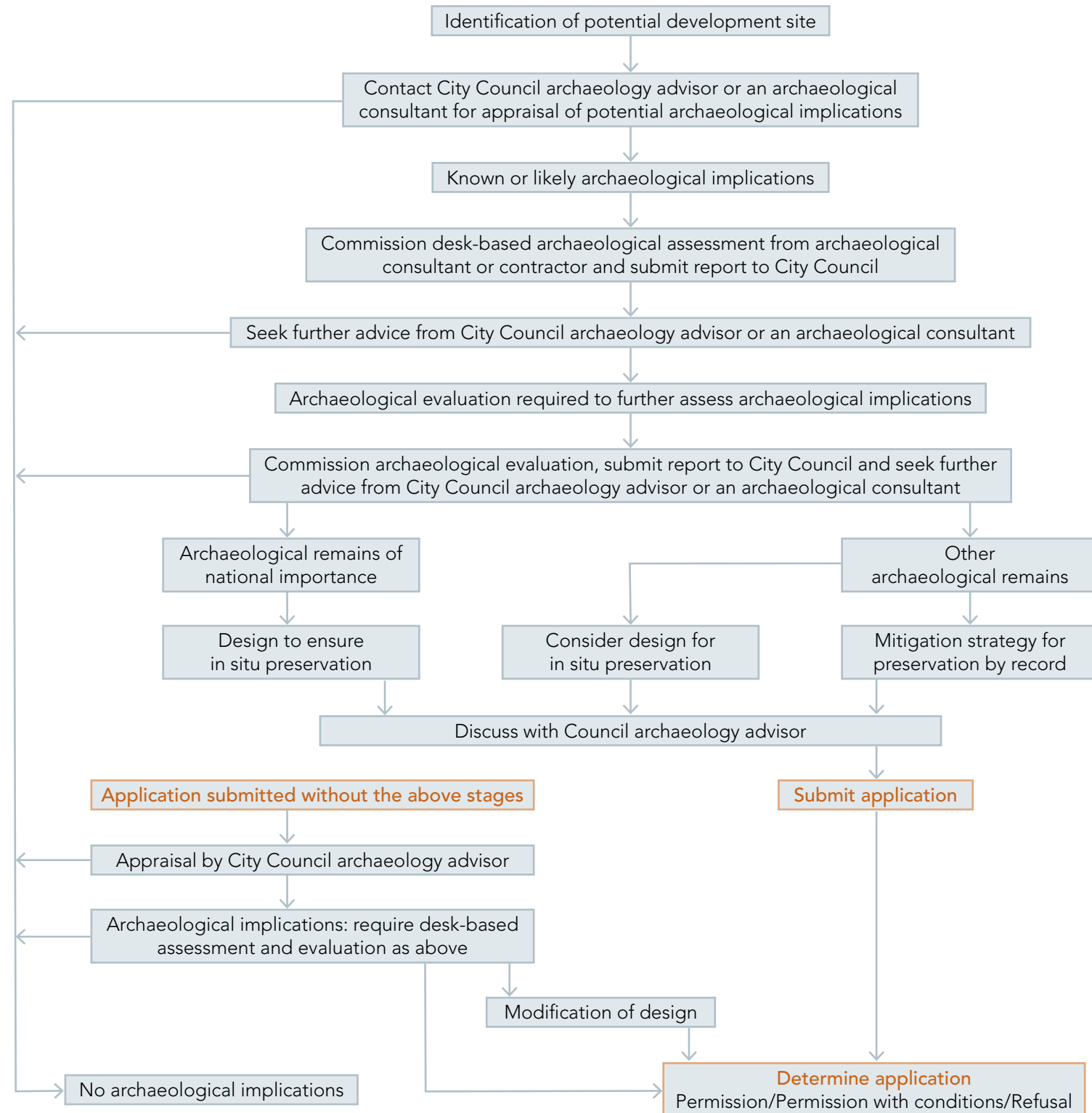
Where a Conservation Area Character Appraisal or Management Plan has been prepared, it will be a material consideration in determining applications for development, and will be used to support and guide enhancement and due regard should be given to the policies it contains.

The City Council will support development that conserves the significance of non-designated heritage assets including archaeological remains and locally listed buildings.

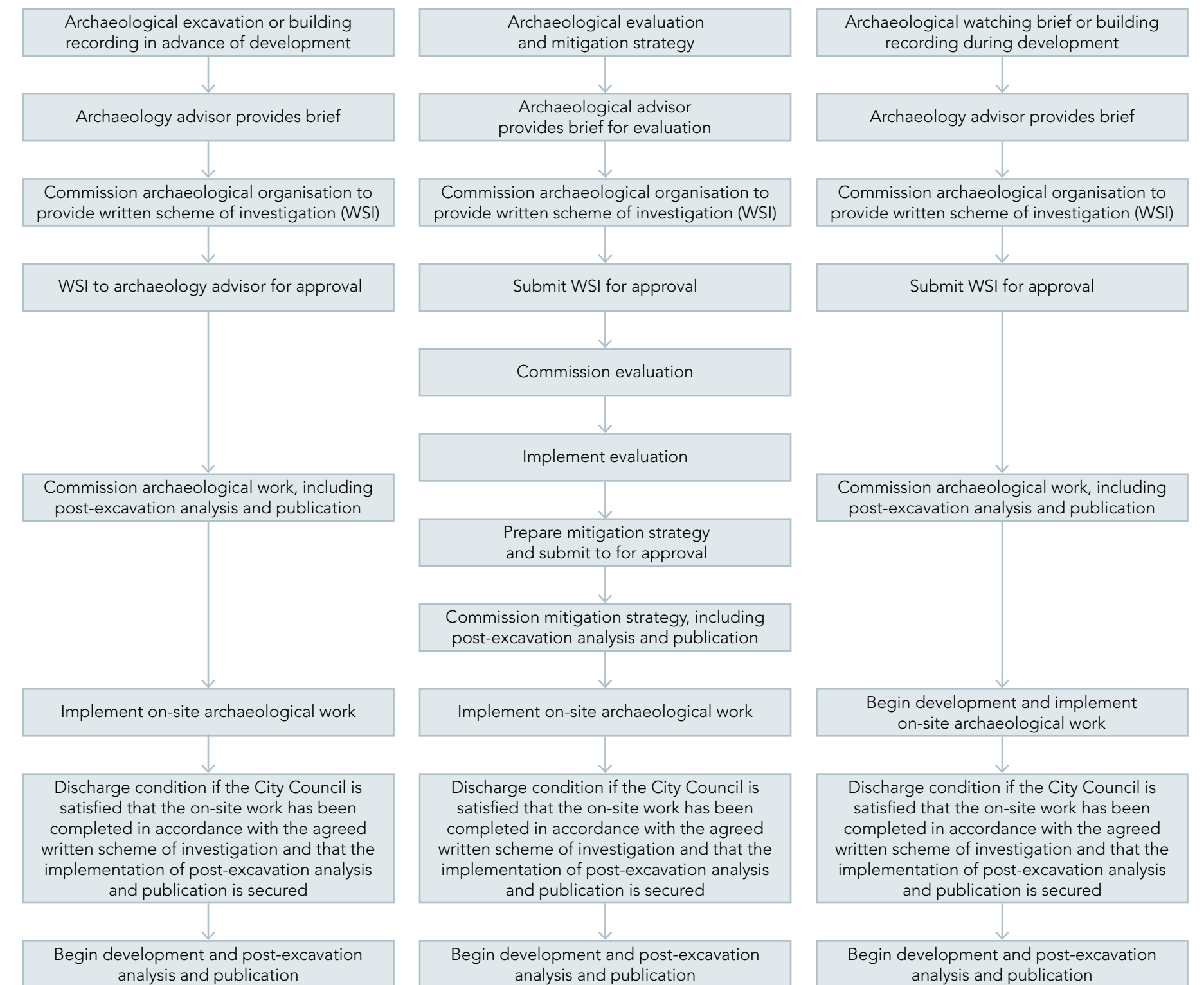
The historic importance of canals is acknowledged, and important groups of canal buildings and features will be protected, especially where they are listed or in a Conservation Area. Where appropriate the enhancement of canals and their settings will be secured through development proposals.



# Appendix 2 Planning applications with archaeological implications



# Appendix 3 Implementation of archaeological planning conditions





# Glossary

## Archaeological interest

There will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.

## Article 4 direction

A direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 which withdraws permitted development rights granted by that Order.

## Conservation

The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

## Desk-based assessment (DBA)

An assessment of both the known and potential archaeological resource within a specified area. A study is carried out on available sources such as HERs, Map Evidence, Documentary Sources Aerial Photographs. The study will provide a background for a decision to be reached on the potential archaeological resource in a local, regional, national context within the review area.

## Evaluation

A limited programme of non-intrusive and/or intrusive fieldwork, which determines the presence or absence of archaeological features, structures, deposits, artefacts or ecofacts within a specified area. This may take the form of an intrusive investigation of a percentage of the site, geophysical or topographical survey. The results of this investigation will establish the requirements for any further work.

## Excavation

Intrusive fieldwork with a clear purpose, which examines and records archaeological deposits, features and structures and recovers artefacts, ecofacts and other remains within a specified area or site. This will lead to both a further programme of Post Excavation and Publication and perhaps further excavation.

## Fieldwalking

A form of evaluation that provides details of surface features visible during a physical search of the site area and is a systematic observation of the ground surface during. The recovery of artefacts that may indicate periods of occupation is also an important part of this evaluation.

## Geophysical survey

A method of seeing beneath the ground surface using a number of methodologies, including Ground Penetrating Radar (GPR), Resistivity and Magnetometry.

## Heritage asset

A building, monument, site, place, area, or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

## Heritage Partnership Agreements

an agreement under Section 60 of the Enterprise and Regulatory Reform act 2013 allowing the owner of a designated heritage asset to agree with a local authority, or Historic England or the Secretary of State what works can be carried out to the asset without harming its special interest and without the need for them to seek repeated consents for routine works.

## Historic environment

All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.

## Historic environment record (HER)

Information services that seek to provide access to comprehensive and dynamic resources relating to the historic environment of a defined geographic area for public benefit and use.

## LIDAR

Light detection and ranging, a remote sensing technique used to map ground surfaces by targeting a laser and measuring the time for the reflected light to return to the receiver.

## Local plan

A plan for the future development of a local area, drawn up by the local planning authority in consultation with the community. In law this is described as the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. A local plan can consist of either strategic or non-strategic policies, or a combination of the two. Permitted development rights. The BDP is a local plan.

## National Heritage List for England (NHLE)

The official register of all listed buildings, scheduled monuments, protected wrecks, registered parks and gardens and battlefields maintained by Historic England.

## Paleoenvironmental archaeology

The reconstruction of ancient environments using pollen, plant remains or animal remains recovered from archaeological sites.

## Permitted development rights

Rights to carry out certain types of development without the need for planning permission as granted by the General Permitted Development Order (GPDO).

## Planning condition

A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order.

## Remote sensing

The use of aerial or satellite reconnaissance and photography to discover and interpret archaeological sites and landscape features, whether visible on the surface or buried, and the use on the ground of geophysical instruments to locate buried sites.

## Retrofit

The addition of new technologies or features to an existing building to change the way it performs or functions

## Setting of a heritage asset

The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.

## Significance

The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance

## Supplementary planning documents (SPD)

Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.

## Traditionally built buildings

Buildings built before 1919 with solid (not cavity) walls from a range of natural materials including stone, earth, brick, and lime mortars, renders and paints.

## Whole building approach

Considers a building's context to find balanced solutions that save energy, sustain heritage significance and maintain a comfortable and healthy indoor environment. It also considers wider environmental, cultural, community and economic issues, including energy supply. It can also help to manage the risk of unintended consequences.



# Consultation

### How to comment on this draft SPD

The Council is seeking views on the contents of this draft SPD between \*\*\*\* and \*\*\*\* 2024. Comments must be received by the Council by no later than \*\*\*\*.

The documents can be viewed online at: \*\*\*\*\*

The Council's online consultation portal is our preferred method for submitted responses, but you can also respond by e-mail. You can respond:

- Online: \*\*\*\*
- By email: \*\*\*\*

We cannot accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Planning Policy Privacy Notice, which is available on the Council's website \*\*\*\*. Your name and comments will be published and made available to view on the Council's online consultation portal.

### What happens after the consultation period?

All the comments received by the closing date will be considered and used to inform the final SPD. The consultation results will be reported in a Consultation Statement to the Council's Cabinet. The Council will make a decision about adopting the SPD. Once adopted it would be formal planning guidance and would be taken to account when the Council considers any relevant planning applications.

### How this SPD has been prepared.

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. Material planning considerations include National Planning Policy and adopted supplementary planning guidance, where relevant. This SPD has been informed by national and local planning policies and has been prepared in accordance with regulations and the Council's Statement of Community Involvement.

### Sustainability Appraisal.

There is no legal requirement for SPDs to be accompanied by Sustainability Appraisal, and this is reinforced in national planning guidance. However, 'in exceptional circumstances' there may be a requirement for SPDs to be subject to Strategic Environmental Assessment (SEA) where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening assessment is being undertaken to assess whether such an assessment is necessary.

A screening exercise will also be carried out to determine whether the document gives rise to the need for Appropriate Assessment (under the Habitats Regulations).

If you require this document in an alternative format please contact us. Requests for the document in alternative formats will be considered on a case by case basis including large print, another language and typetalk.

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Historic Environment  
 Supplementary Planning Document

**The Historic Environment Supplementary Planning Document**  
 produced by Planning and Development, Place, Prosperity and Sustainability Directorate, Birmingham City Council.



BIRMINGHAM  
**PLAN**  
**2031**



# EQUALITY IMPACT ASSESSMENT

Historic Environment Supplementary Planning  
Document

Reference:

Date:

Submitted by:





### EIA Form – About your EIA

Reference number	
Date Submitted	
Subject of the EIA	
Brief description of the policy, service or function covered by the EIA	
Equality Assessment is in support of...	
How frequently will you review impact and mitigation measures identified in this EIA?	
Due date of the first review	

### Directorate, Division & Service Area

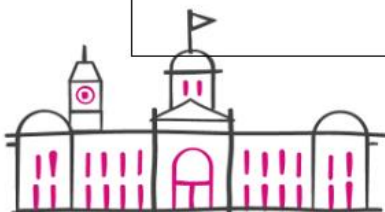
Which directorate(s) are responsible for this EIA?	
Division	
Service area	
Budget Saving	

### Officers

What is the responsible officer's email address?	
What is the accountable officer's email address?	

### Data Sources

Data sources	<p>Based on Equality Impact Assessments undertaken previously on other heritage related planning documents such as conservation area appraisals and management plans, along with internal consultation with relevant officers, it is felt that the historic environment SPD does not have the potential to disproportionately impact on protected groups. This assumption will be tested through the public consultation process. We are consulting to gather the views on the Council's proposed approach to the management and designation of heritage assets in the city. We will seek to consult the many stakeholders in Birmingham's historic environment including property owners, property managers, planning and heritage professionals, community groups and resident's associations, particularly those related to conservation areas or historic properties, amenity societies such as the</p>
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	Victorian Society or the 20th Century Society and national organisations like Historic England. The consultation will be conducted online along with face to face meetings with interested organisations within the city that we will approach.
Data source details	

### Protected Characteristics

#### Protected Characteristic – Age

Does this proposal impact people due to their age as per the Equality Act 2010?	
What age groups are impacted by your proposal?	
Please describe the impact to the age characteristic	
How will you mitigate against any negative impact to the age characteristic?	

#### Protected Characteristic – Disability

Does this proposal impact those people with a disability as per the Equality Act 2010?	
Please describe the impact to the disability characteristic	
How will you mitigate against any negative impact to the disability characteristic?	

#### Protected Characteristic – Sex

Does this proposal impact citizens based on their sex as per the Equality Act 2010?	
What sexes will be impacted by this proposal?	
Please describe the impact to the sex characteristic	
How will you mitigate against any negative impact to the sex characteristic?	

#### Protected Characteristic - Gender Reassignment





Does this proposal impact people who are proposing to undergo, undergoing or have undergone a process to reassign one's sex as per the Equality Act 2010?	
Please describe the impact to the gender reassignment characteristic	
How will you mitigate against any negative impact to the gender reassignment characteristic?	

### Protected Characteristic - Marriage and Civil Partnership

Does this proposal impact people who are married or in a civil partnership as per the Equality Act 2010?	
What legal marital or registered civil partnership status will be impacted by this proposal?	
Please describe the impact to the marriage and civil partnership characteristic	
How will you mitigate against any negative impact to the marriage and civil partnership characteristic?	

### Protected Characteristic - Pregnancy and Maternity

Does this proposal impact people covered by the Equality Act 2010 under the protected characteristic of pregnancy and maternity?	
Please describe the impact to the pregnancy and maternity characteristic	
How will you mitigate against any negative impact to the pregnancy and maternity characteristic?	

### Protected Characteristic - Ethnicity and Race





Does this proposal impact people due to their race as per the Equality Act 2010?	
What ethnic groups would be impacted by this proposal?	
Please describe the impact to the ethnicity and race characteristic	
How will you mitigate against any negative impact to the ethnicity and race characteristic?	

### Protected Characteristic - Religion or Beliefs

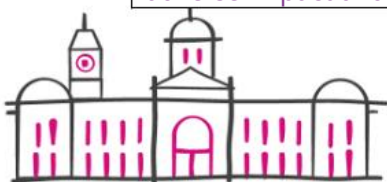
Does this proposal impact people's religion or beliefs as per the Equality Act 2010?	
What religions could be impacted by this proposal?	
Please describe the impact to the religion or beliefs characteristic	
How will you mitigate against any negative impact to the religion or beliefs characteristic?	

### Protected Characteristic - Sexual Orientation

Does this proposal impact people's sexual orientation as per the Equality Act 2010?	
What sexual orientations may be impacted by this proposal?	
Please describe the impact to the sexual orientation characteristic	
How will you mitigate against any negative impact to the sexual orientation characteristic?	

### Monitoring

How will you ensure any adverse impact and	
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mitigation measures are monitored?	
Please enter the email address for the officer responsible for monitoring impact and mitigation	





<b>Project Title:</b> Historic Environment Supplementary Planning Document				
<b>Department:</b> Planning	<b>Team:</b> City Design and Conservation		<b>Person Responsible for assessment:</b> Chris Patrick	
<b>Date of assessment:</b> 14 <sup>th</sup> February 2024		<b>Is it a new or existing proposal?:</b> New		
<b>Brief description of the proposal:</b> The new Historic Environment SPD will replace two existing out of date heritage and archaeology SPDs and provide additional guidance on the local plan policy and amongst other things it fill gaps in procedure for local listing and heritage at risk. The document sets out the Council's objectives for the management of the historic environment through the planning system.				
<b>Potential impacts of the policy/development decision/procedure/ on:</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>No Specific Impact</b>	<b>What will the impact be? If the impact is negative, how can it be mitigated, what action will be taken?</b>
Natural Resources- Impact on natural resources including water, soil, air			X	
Energy use and CO <sub>2</sub> emissions	X			Provides guidance on improving energy efficiency in historic buildings and promotes the retention and re-use of buildings opposed to their demolition.
Impact on local green and open spaces and biodiversity	X			Provides guidance on retaining and managing the significance of green spaces such as parks and canals.
Use of sustainable products and equipment			X	
Minimising waste	X			Promotes the retention and repurposing of buildings to retain embedded carbon.
Council plan: A Bold Green Birmingham	X			Heritage has an important role to play in the Council's efforts to reduce carbon emissions. Historic buildings provide many of the city's homes and the number of homes in historic buildings increases as buildings are converted. The retention and reuse of buildings prevents the release of embedded carbon through needless demolition and reduces the need to expend carbon on new builds. Much of



				Birmingham’s green spaces such as parks, gardens, or canals are also significant historic places. The route to net zero team has also been consulted on the climate change chapter.
Overall conclusion on the environmental and sustainability impacts of the proposal	The proposals would have a positive benefit on Birmingham’s environment and sustainability.			

If you require assistance in completing this assessment, then please contact: [ESAGuidance@birmingham.gov.uk](mailto:ESAGuidance@birmingham.gov.uk)