

# AMENDMENTS TO THE LIST OF BUILDINGS OF LOCAL ARCHITECTURAL AND HISTORIC INTEREST

Report of Councillor A. Lax, Cabinet Member for Legal and Regulatory Services

Date:	3 <sup>rd</sup> December 2019
Agenda Item:	16
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Key Decision?	NO
Local Ward Members	<b>Boney Hay and Central:- Cllr R. Birch, Cllr D. Evans, Cllr B. Westwood.</b> <b>Chase Terrace:- Cllr S. Banevicius, Cllr S. Norman.</b> <b>Chasetown:- Cllr D. Ennis, Cllr S. Tapper.</b> <b>Hammerwich with Wall Ward:- Cllr A. Little and Cllr J. Silvester-Hall</b> <b>Highhfield:- Cllr W. Ho, Cllr D. Pullen.</b> <b>Summerfield and All Saints:- Cllr B. Brown, Cllr L. Ennis and Cllr K. Humphreys</b>

**COUNCIL**

## 1. Executive Summary

- 1.1 To inform Council of the results of the public consultation on the amendments to the Council's List of Buildings of Local Architectural and Historic Interest (commonly referred to as the "Local List"), and to request Council's support for the proposals and their final ratification.

## 2. Recommendations

- 2.1 That Council notes the results of the consultation as per Appendix A of this report, supports the amendments to the Council's List of Buildings of Local Architectural and Historic Interest as included in Appendix B and recommends them for final ratification.

## 3. Background

- 3.1 Cabinet approved a report on the 9<sup>th</sup> April 2019 to go out to public consultation on proposed amendments to the Council's Local List. The required consultation was carried out between 28<sup>th</sup> June 2019 and 11<sup>th</sup> August 2019. A report was taken to Overview and Scrutiny (Economic Growth, Environment and Development) on the 18<sup>th</sup> September 2019 where they endorsed the recommendation which was; 'That the Committee notes the results of the consultation as per Appendix A of this report, supports the final proposed amendments to the Council's List of Buildings of Local Architectural and Historic Interest as included in Appendix B and recommends them to be submitted to the Cabinet and Full Council for approval.' A report was then taken to Cabinet on the 3<sup>rd</sup> December 2019 and was approved.
- 3.2 Aside from national designation, the National Planning Policy Framework (NPPF) in paragraph 185 advises local planning authorities to set out a positive strategy for the conservation and enjoyment of the historic environment in their Local Plan. Emphasis is placed on sustaining and enhancing the

significance of heritage assets and recognising that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

- 3.3 The definition of heritage assets in the NPPF includes not only assets designated under statutory, national processes, but also those that may be recognised by the planning authority as having heritage significance and considered appropriate for “local listing”. The NPPF confirms that such assets can merit consideration in the assessment of planning proposals, with the Council as the local planning authority able to take a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
- 3.4 The Council has an existing List of Buildings of Local Architectural and Historic Interest (Local List). This currently consists of 484 buildings and structures, all within designated conservation areas, which have been identified as part of the programme of Conservation Area Appraisals. As Lichfield District contains a wealth of heritage assets and these are located throughout the district; the Conservation & Urban Design Team have begun a phased review of the areas outside of designated conservation areas, beginning with the parishes of Burntwood, Hammerwich and Wall. Full details of the amendments are included in Appendix A. The existing properties on the Local List have been consulted on as part of the programme of Conservation Area Appraisals and Management Plans.
- 3.5 Maintaining a local list is an established way for local councils and communities to identify and celebrate historic buildings, archaeological sites and designed landscapes which enrich and enliven their area. Local lists sit within a continuum of measures for identifying and protecting buildings and areas of heritage or townscape interest, which includes national designations such as listed buildings, scheduled monuments and historic parks and gardens and conservation areas, as well as buildings and sites which have been identified locally as having some heritage interest meriting consideration in planning decisions. Inclusion on a local list delivers a sound, consistent and accountable way of identifying local heritage assets to the benefit of good strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints. Local lists thus complement national designations in building a sense of place and history for localities and communities. Local listing is intended to highlight heritage assets which are of local heritage interest in order to ensure that they are given due consideration when change is being proposed.
- 3.6 Under the provisions of the NPPF a building or structure that is on a ‘Local List’ is considered to be a non-designated heritage asset. Non-designated heritage assets are defined as buildings, monuments, sites, places, areas or landscapes identified by local planning authorities as having a degree of significance meriting consideration in planning decisions but which are not formally designated.
- 3.7 Whilst local listing provides no additional planning controls, the fact that a building or site is on the Local List means that its conservation as a heritage asset is a material consideration when determining a planning application.
- 3.8 The level of protection afforded to a property on the local list is influenced by the manner in which the list is prepared. The sounder the basis for the addition of an asset to the list – particularly the use of selection criteria – the greater the weight that can be given to preserving the significance of the asset. The degree of consultation on the local list, and the inclusion of assets on it, also increases that weight. However, it should be noted that the absence of any particular heritage asset from the local list does not necessarily mean that it has no heritage value, simply that it does not currently meet the selection criteria or that it has yet to be identified.
- 3.9 The amendments to the Local List have been informed by advice provided within the Historic England publication ‘Local Heritage Listing: Historic England Advice Note 7’. This encourages local authorities

and communities to introduce or make changes to an existing list, through the preparation of selection criteria, thereby encouraging a more consistent approach to the identification and management of local heritage assets across England.

- 3.10 Inclusion of a heritage asset on the local list does not, however, preclude development or change. The Local List is a mechanism to recognise non-designated heritage assets that are of local significance, whether or not subject to development proposals requiring planning consent. The information would inform any planning decisions. Applications proposing demolition of a heritage asset included on a local list will be expected to demonstrate that all reasonable alternatives have been explored and justify why such alternatives are not viable. There will be a presumption in favour of retaining and re-using buildings included on a local list unless it can be demonstrated independently that a building is structurally unsound or that there is no appropriate and viable alternative use for it. Applications for alterations and/or extensions to heritage assets included on a future local list will be required to incorporate proposals which preserve or enhance the significance of the asset and its setting.
- 3.11 The additions have been identified through a number of means including public nominations, reviews of former Grade III buildings, reviews of the Historic Environment Record (HER) and through reviews of historic mapping. These have then been assessed against our selection criteria by the Conservation and Design Officer.
- 3.12 The Council has adopted criteria for the identification of non-designated heritage assets. These criteria are consistent with Government policy and associated guidance from Historic England. The criteria, contained with the Council's adopted Historic Environment SPD, are as follows;
- Special local architectural or landscape interest, i.e. is it the work of a particular architect or designer of regional or local note? Is the building/designed landscape a particularly good example of its type/style?
  - Special local historic (social, economic, cultural) interest. (Most buildings and places will fall into this category).
  - Association with well-known local historic persons or events.
  - Contribution to the streetscape/townscape, i.e. a group of unrelated buildings that make up an aesthetically complementary group or a view that offers an attractive scene. Buildings may be illustrative of a range of historic periods which together epitomise the development of the locality. Views may be famously recognisable and regarded as an historic asset in their own right, for example, views of Lichfield Cathedral from various points around the City.
  - Group value of buildings designed as an architectural entity, especially as examples of town planning (e.g. model villages, squares, terraces)
- 3.13 It is accepted best practise that involving the local community in evaluating which buildings are of local interest is integral to the local listing process. To this end a robust method of public consultation was followed which comprised the following:
- seeking permission from the Cabinet to consult on draft amendments to the Local List;
  - a 6 week consultation period, including letters to all properties proposed for addition to the Local List, the Parish Council and local civic groups. Information was provided to owners and occupiers of the properties affected to help them understand the proposals and their implications, to address potential concerns and included a Frequently Asked Questions section.
  - full consideration of representations received and amendment of the document, as necessary;

- a report to Overview and Scrutiny (Economic Growth, Environment and Development), taking on board comments received, and seeking approval of the revised document;

- 3.14 The consultation ran from 28/6/19-11/8/19 and 11 responses were received. As a result of this, at the request of the current owners the addresses of two properties were changed (6 Highfields, was changed to Highfield House and Gartmore Riding School was changed to Gartmore House) and two entries were removed from the list (these were 1-8 Upfields and Spinney Squash Club).
- 3.15 Once the amendments have been ratified the HER and the Council's Geographical Information System (GIS) will be updated accordingly.
- 3.16 There are a variety of reasons to carry out this piece of work including the economic benefits that can be attributed to the conservation and continued use of historic buildings and structures. Studies over the last decade have found that the historic environment positively contributes both to local economies and the wider national economy as a whole. The five major measurable aspects of the economic impacts of heritage conservation: jobs and household income; city centre revitalization; heritage tourism; property values; and small business incubation. In England, it has been found that a pre-1919 house is worth on average 20% more than an equivalent house from a more recent era, and the premium becomes even greater for an earlier historic home. On the commercial side, the Royal Institute of Chartered Surveyors has tracked the rates of return for heritage office buildings for the past 21 years and found listed buildings have consistently outperformed the comparable unlisted buildings. Similar analyses in Canada demonstrated that heritage buildings had performed much better than average in the market place over the last 30 years and that there is no evidence that designation reduces property values. (Global Urban Development Magazine from August 2008). Publications by and on behalf of Historic England from 2018 have highlighted that heritage is an important source of economic prosperity and growth. Heritage is a complex and multidimensional sector with multiple economic activities dependent and embedded within it. A DCMS Culture White Paper (DCMS 2016) stated that, "The development of our historic built environment can drive wider regeneration, job creation, business growth and prosperity." Further information can be found in the online publications which are referred to in the web-link sections below.
- 3.17 In Lichfield District Council (LDC) Strategic Plan for 2016-2020 it is noted that our heritage and our rural landscape are important to our residents. Therefore, as part of ensuring that our district has clean, green and welcoming places to live by 2020 LDC will ensure that our heritage and open spaces will be well maintained or enhanced. The identification of properties and structures that have historical and architectural interest contributes towards this target
- 3.18 The expansion of the local list is in Development Services Service Plan. More specifically the adoption of a local list for Burntwood and Hammerwich is in the delivery plan (action CGW 02(c)) for the Conservation and Urban Design Team.
- 3.19 The current work and all subsequent work on the Local List will be undertaken using in-house resources. The district was initially notionally divided into 6 sections with the intention being that one section would be surveyed each year. This would have meant the project took a total of 6 years however, it is hoped to reduce this if resources allow.
- 3.20 As part of the review, 3 structures will be removed from the Local List. In each case these structures, which are all war memorials, have been included on the statutory list at Grade II. Therefore they no longer meet the requirements to be locally listed and this designation has been superseded.

## Alternative Options

1. The alternative option is not to approve the amendments to the 'Local List'.

	This would weaken the local planning authority's ability to seek to preserve or enhance the special character and appearance of the area when considering planning applications.
Consultation	<ol style="list-style-type: none"> <li>1. Full public consultation as per paragraph 3.13</li> <li>2. Ward Councillors were also consulted and were e-mailed again prior to the presentation of the report to O&amp;S (EGG&amp;D).</li> </ol>
Financial Implications	<ol style="list-style-type: none"> <li>1. The cost of production of the documents and consultation exercises was met from existing budgets.</li> <li>2. The designations will not increase the number of planning applications received so will not generate extra work for the Development Management Team.</li> </ol>
Contribution to the Delivery of the Strategic Plan	<ol style="list-style-type: none"> <li>1. These proposals support the aims of the District Council's Strategic Plan 2016 -20 to be a clean, green and welcoming place to live and specifically to maintain and enhance our heritage.</li> </ol>
Equality, Diversity and Human Rights Implications	<ol style="list-style-type: none"> <li>1. In maintaining and expanding the Council's List of Buildings of Local Architectural and Historic Interest 'Local List', the Council is seeking to preserve and enhance locally important heritage assets within the District for all future generations.</li> </ol>
Crime & Safety Issues	<ol style="list-style-type: none"> <li>1. The recommendations will have no discernible impact on our duty to prevent crime and disorder within the District (Section 17 of the Crime and Disorder Act, 1988).</li> </ol>
GDPR/Privacy Impact Assessment	<ol style="list-style-type: none"> <li>1. No formal assessment has been undertaken but there are no expected impacts on privacy or data security issues.</li> </ol>

	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Planning decisions relating to properties or structures on the Council's List of Buildings of Local Architectural and Historic Interest 'Local List' may not stand up to testing at appeal	By means of thorough consultation, based on best practice with robust processes, we can minimise the risk of challenge.	Yellow
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<b>Background documents</b> <ul style="list-style-type: none"> <li>• Appendix A - Amendments to the Council's List of Buildings of Local Architectural and Historic Interest 'Local List'</li> </ul>
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## Relevant web links

'Local Heritage Listing: Historic England Advice Note 7' <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/heag018-local-heritage-listing/>

Heritage and The Economy 2018, Historic England <https://historicengland.org.uk/content/heritage-counts/pub/2018/heritage-and-the-economy-2018/>

The heritage sector in England and its impact on the economy, A report for Historic England, <https://historicengland.org.uk/content/docs/research/heritage-sector-england-impact-on-economy-2018/>