

# ECONOMIC DEVELOPMENT & CULTURE COMMITTEE

Agenda Item 29

Brighton & Hove City Council

<b>Subject:</b>	<b>Local List Review</b>		
<b>Date of Meeting:</b>	<b>20<sup>th</sup> September 2012</b>		
<b>Report of:</b>	<b>Strategic Director, Place</b>		
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<b>Ward(s) affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

1.1 This report outlines the proposed selection criteria and process for reviewing the council's list of heritage assets of local interest (the local list). Changes in national policy and guidance have given greater recognition to locally significant heritage assets. It is therefore an ideal time to review and update our existing local lists. An up-to-date and objective combined local list, based on robust selection criteria and produced in consultation with the local community, will inform development management decisions and help protect the city's historic environment.

### 2. RECOMMENDATIONS:

- 2.1 That the process for reviewing the council's list of heritage assets of local interest, as outlined below, is approved.
- 2.2 That the proposed criteria for selection, as set out in Appendix 1, are approved.

### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

#### Policy Background

- 3.1 The 2007 White Paper 'Heritage Protection for the 21<sup>st</sup> Century' gave greater recognition to the importance of locally significant heritage assets in the management and protection of the historic environment. This is reflected in the National Planning Policy Framework (NPPF), which identifies the concept of non-designated heritage assets, including local listings. In response, English Heritage has produced a new guidance document (May 2012). Local authorities are encouraged to be proactive in identifying these assets, the significance of which is a material consideration in determining applications (NPPF, para 135).
- 3.2 Policy HE10 of the Brighton and Hove Local Plan sets out the Council's policy with regard to Buildings of Local Interest. Inclusion on the local list has been a useful tool in a number of planning proposals in the city. The local listed status of St Augustine's Convent, 1 Manor Road, for example, enabled the council to negotiate the retention and conversion of these Edwardian Villas as part of the

proposed housing scheme. The recent inclusion of the London Road Co-op Building has also given the council greater power to negotiate the retention of its well-loved façade as part of the street scene.

- 3.3** The council currently has separate local lists for Brighton and for Hove. The need to review these is identified in the council's Conservation Strategy (2003). The recent changes in national policy and guidance provide the ideal basis and opportunity to undertake this review. An up-to-date and robust local list, produced in consultation with the local community, will inform development management decisions and help protect the city's historic environment.

### **Proposed Procedure**

- 3.4** It is proposed that the local list review follows the following process:
- Nominations invited from public and stakeholders (Autumn/Winter 2012)
  - Received nominations assessed by the Heritage Team against the agreed selection criteria (Spring 2013). A draft local list and associated guidance document produced. The associated document will be a factual document (in the form of a Planning Advice Note (PAN)) which will include the selection criteria, an explanation of the impacts of local listing and the process for future review of the list. It will not formulate any new policy, which will remain in the Local Plan, and will be superseded by the City Plan in due course.
  - Public consultation held on the draft local list and PAN, including owner notification (Summer 2013)
  - Results of consultation assessed by Heritage team (Summer/Autumn 2013)
  - Final local list and PAN produced and brought to the Economic Development & Culture Committee Meeting for approval (Autumn 2013).
- 3.5** As part of the process, those assets on the existing lists will be assessed against the criteria. It is likely that some of these assets will be removed from the list as part of the process, but this will result in a more up to date and robust list.
- 3.6** This procedure conforms to national policy and guidance, providing objective locally-specific selection criteria and a straightforward, transparent process that allows for full involvement of the local community.

### **Proposed Criteria**

- 3.7** English Heritage's guidance highlights the importance of establishing robust selection criteria for local lists. It is proposed that the local list will include both historic buildings, and parks and gardens, which comprise the predominant types of heritage asset in Brighton and Hove. The proposed criteria for selection are set out in Appendix 1. The proposed criteria are based on English Heritage's Conservation Principles, Policies and Guidance (2008), and the definitions of 'heritage assets' and 'interest' as set out in the NPPF. They also provide additional focus on local distinctiveness and community value.

## **4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1** The Local List Review was brought to the council's Conservation Advisory Group for informal consultation on 28<sup>th</sup> August 2012, but the item was postponed until

their next meeting on 18<sup>th</sup> September. As such, the results of this informal consultation and any resulting amendments to the recommended selection criteria and review procedure will be reported verbally to the committee meeting.

- 4.2 Two phases of consultation are proposed as part of the review; a call for nominations, and consultation on the draft local list: It is proposed that nominations will be invited over a period of at least 12 weeks. Posters will be placed in libraries, information points and reception areas throughout the city. The Council's website and social media sites will be updated. Community groups, history and archaeology groups and amenity societies will be contacted and encouraged to undertake surveys of their areas. Nominations will be accepted on a specific 'nomination form', and nominees will be required to undertake some research into the asset and justify which of the criteria it meets. The generous period for consultation will allow time for this research and for community groups to co-ordinate responses.
- 4.3 Following assessment of the nominations, a draft local list and associated guidance document will be produced. Comments will be invited (over a 6 week period) on the local list and guidance document from all stakeholders involved in the nomination stage. All owners/occupiers of nominated assets will be contacted by letter, with information regarding the impacts of local listing, and an opportunity to comment on their property's inclusion. Should the results of the consultation require substantial amendment to the draft local list and/or guidance document, further consultation will be undertaken.
- 4.4 The consultation, as set out above, is in line with the aims of the Community Engagement Framework and Standards.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The cost of reviewing the list of Heritage Assets consists of officer time, and will be met from within existing Planning revenue budgets.

*Finance Officer Consulted:* Karen Brookshaw *Date:* 01/08/12

### Legal Implications:

- 5.2 Although local listing is not a statutory procedure and a locally listed property will not be afforded statutory protection, the fact that a building is on the local list will be a material planning consideration in the determination of any planning application affecting the same. Such determinations will need to take into account both local policy (currently Brighton and Hove Local Plan policy HE10 – Buildings of local interest) and relevant policy in the National Planning Policy Framework.

*Lawyer Consulted:* Hilary Woodward *Date:* 13/08/12

### Equalities Implications:

- 5.3 An Equalities Impact Assessment (EQIA) of the Conservation Service was undertaken in 2010 and covers work on designation.

Sustainability Implications:

- 5.4 The proposals in this report have no substantial impact upon the ten One Planet Principles of sustainability, with the potential to 'revive local identity and wisdom' under the 'Culture and Community' Principle. No substantial risks have been identified through the sustainability self assessment checklist. The proposals will help preserve local heritage under section 6 of the checklist.

Crime & Disorder Implications:

- 5.5 None have been identified

Risk and Opportunity Management Implications:

- 5.6 Failure to identify local heritage assets could lead to their loss or inappropriate alteration, erode the historic environment and create adverse publicity for the Council.

Public Health Implications:

- 5.7 A higher quality built environment can improve the well-being and sense of place of existing and/or future inhabitants of the city.

Corporate / Citywide Implications:

- 5.8 The proposals accord with the corporate priority of Creating a Sustainable City, as set out in the Corporate Plan 2011-2015. More specifically the local list review responds to the Council's commitment to 'a healthier and higher quality built environment' and to 'work with community groups, across the city, to preserve our architectural heritage'.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 *To not review the local list.* This option would diverge from national and local policy and guidance. It could lead to the loss or inappropriate alteration of locally significant heritage assets, erode the historic environment and create adverse publicity for the Council.
- 6.2 *To recruit an external consultant to assess the nominations and produce the draft local list.* This option would allow the review to be undertaken in a shorter time period, but has been discounted due to financial implications. If the number of nominations received is overwhelming, however, the team may not have the capacity to undertake the assessment and this option may need to be revisited.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Heritage assets of local interest form an important part of the built environment. The NPPF recognises this significance, which is a material consideration in determining applications, and encourages local authorities to be proactive in identifying these assets.

- 7.2 The need for a review of the local list is identified within the Council's Conservation Strategy (2003), and is further apparent due to the recent changes in national policy and guidance.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Proposed selection criteria

### **Background Documents**

1. Existing Brighton and Hove Lists of Buildings of Local Interest
2. English Heritage *Good Practice Guide for Local Heritage Listing* (May 2012)
3. English Heritage *Conservation Principles, Policies and Guidance* (April 2008)
4. National Planning Policy Framework (March 2012)
5. Conservation Strategy (2003)

