

REPORT FOR DECISION

MEETING: PLANNING CONTROL COMMITTEE

DATE: NOVEMBER 2009

SUBJECT: LOCAL LIST OF BUILDINGS OF SPECIAL ARCHITECTURAL AND HISTORIC INTEREST

REPORT FROM: CHIEF PLANNING OFFICER

CONTACT OFFICER: M NIGHTINGALE, CONSERVATION OFFICER

TYPE OF DECISION: FOR DECISION

FREEDOM OF INFORMATION/STATUS: This paper is within the public domain

SUMMARY: This report seeks approval to further develop a local list of historic buildings for the Borough and to consult interested groups and property owners of the proposals.

OPTIONS & RECOMMENDED OPTION The options are as follows:

- (a) To continue to develop a local list of buildings/structures of special architectural or historic interest, or
- (b) Not to proceed with the work on the local list.

Option (a) is recommended for the following reasons

- 1. It will help to advise on planning decisions relating to the Borough's heritage
- 2. It will add an additional level of protection and knowledge.
- 3. It accords with best practice as outlined by English Heritage, and with the direction of government proposals
- 4. It will help building owners and the community generally better understand our local heritage

IMPLICATIONS:

Corporate Aims/Policy

Do the proposals accord with the Policy

Framework: Framework? Yes

Financial Implications and Risk Considerations:

Director of Finance and E-Government to advise regarding risk management
Any work to develop the local list will need to be done within existing resources.

Statement by Director of Finance and E-Government:

The Council's revenue budget includes a limited budget of £6,200 to support work in conservation areas, in addition to funding of one conservation officer post. There is also a limited capital budget for work on specific listed buildings and conservation areas. In recent years these budgets have been supplemented by grant and external funding, however additional funding cannot be assumed to be ongoing.

Members should also note that inclusion of any Authority-owned buildings or structures on the local list may have implications for the costs of any future works to those buildings.

Equality/Diversity implications: No

Considered by Monitoring Officer: Yes Comments

Are there any legal implications?

Staffing/ICT/Property:

Wards Affected: All
The protection of the borough's heritage has previously been discussed at scrutiny committee.

Scrutiny Interest:

TRACKING/PROCESS

EXECUTIVE DIRECTOR: EDS

Chief Executive/ Management Board	Executive Member/Chair	Ward Members	Partners
No	Yes	Not directly	Initial discussions with heritage groups
Scrutiny Commission	Executive	Committee	Council
Reports to Economy, Environment and Transport Scrutiny Commission in 2004 and 2006	No	This report	

1.0 BACKGROUND

- 1.1 Individual buildings of special architectural or historic interest can be protected from demolition or alteration by being Listed Buildings. Buildings are listed by English Heritage, and Bury has over 330 of these. Listed Buildings are graded I, II* and II, and this reflects their importance, but the level of control is the same for all. All parts of a Listed Building are protected, interior and exterior, together with features such as boundary walls and garden ornaments. Buildings and structures in conservation areas are also protected, but to a lesser extent.
- 1.2 In addition to listed buildings and conservation areas, each part of the Bury area has a wealth of buildings constructed between the 16th and 20th centuries and which are important to the general character of the borough. Whilst these buildings may not be of national interest, they are a valuable asset to the area's heritage and character, and it is proposed that they are recorded and protected as far as is possible through a local list. The selection of buildings on a local list should meet a certain agreed standard. The local list should also recognise other structures such as memorials, monuments and artwork, together with the contribution made by areas such as graveyards and former industrial and agricultural sites.

Some broad criterion for local list selection is now put forward (see Background papers). This is adapted from the Government's criteria for selection of buildings on the national statutory list, which are set out in paragraphs 6.10 to 6.12 of Planning Policy Guidance Note 15: Planning and the Historic Environment. The draft adaptation reflects local rather than national priorities. The spread of such buildings throughout the borough will also be a consideration, so that each part of the borough will have buildings within the list. There is an element of judgement in selecting such buildings, though the use of criteria is intended to reduce this to a minimum.

- 1.3 Information has been collected over time on buildings that may be suitable for a local list. This has been supplemented recently with some targeted survey and research. Approximately 1000 buildings have been or are being investigated. This has produced a draft local list which is work in progress, and which has not so far been the subject of consultation, but has been judged against the draft selection criteria. The work has also identified buildings that may meet the criteria for the national statutory list.
- 1.4 Additional work to complete a local list for approval will be time consuming. Before this is developed further and consultation is undertaken, Committee is asked to support the proposal in principle, and the detail of further action outlined.

2.0 EXTENT OF PROTECTION AND FURTHER WORK

- 2.1 There is currently no direct statutory protection for local lists compiled by local planning authorities (LPAs). Through previous local plans and the current local development frameworks some LPAs have linked local lists to approved policies and core proposals, giving a measure of protection. Bury does **not** have a local list policy within the UDP, but is working towards one within the LDF. It is expected that a local list policy can be adopted as Supplementary Planning Guidance following adoption of the LDF, which is expected late 2010. Government and English Heritage are currently at the consultation stage on a new planning policy statement, PPS 15 Planning for the Historic Environment, which is aimed at bringing in those reforms proposed in a white paper in 2007 that do not require legislation. One significant change refers to policies for the

protection of heritage assets. These can be listed or unlisted buildings/structures, but where the heritage value is clear and well documented. In these situations LPAs will be able to take into account heritage issues when dealing with proposals that require planning permission or listed building consent. The difference in the proposed system is that its operation will be guided by the PPS; that unlisted buildings are specifically referred to, and the significance of the asset will need to be identified at an early stage in the process. The detail, operation and level of control of any new system is not currently clear. However, whether it is through the future LDF or new PPS 15, there should be some level of protection for a local list at a future date. The work on the local list can run in parallel with these developments with the expectation of some form of formal adoption around the end of 2010.

- 2.2 There is always the possibility that the proposed PPS 15 will not proceed and that the local list link in the LDF will not be confirmed. In such a situation, the list will become a development control tool guiding case officers in the implementation of planning policy. It will not, however, provide any additional or stronger controls.
- 2.3 The next steps are to complete the survey work, record buildings which appear to meet the criteria, and to photograph and describe each structure and its history. The owner of each property/site will be contacted directly for comment, together with local interest and heritage groups. The proposal will also be advertised in the local press, and information posted on the Council's website. It is expected that the LAPs would also be consulted. On conclusion of the consultation, the results will be reported and a proposal will be put to Committee or to the Executive.
- 2.4 There is significant work involved in establishing a local list. However, once established, the list can be an additional tool in the positive control of development in the Borough. The local list should not in itself change the number of applications required for planning permission, and should not lead to additional workload for development control staff.

3.0 CONCLUSION

- 3.1 Work has been undertaken to develop a local list of buildings of special architectural or historic interest. This is required to protect the heritage of the Borough and prepare for the adoption of the LDF and/or potential changes in government planning guidance. More work is required, and Committee is asked to support the principle of this. It is proposed that the work so far undertaken should be continued, as described in 2.2 and the recommendations.

List of Background Papers:-

1. Draft criteria for the selection of buildings/structures for the local list.

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