

For publication

Local List of Heritage Assets (J000L)

Meeting:	Cabinet
Date:	12 th July 2016
Report by:	Development Management & Conservation Manager
Key Decision:	No
Reference:	59

1.0 Purpose of report

- 1.1 To report on the progress of the compilation of a Local List of Heritage Assets (henceforth known as the Local List) in consultation with key historic environment stakeholders and the general public.

2.0 Recommendations

- 2.1 That the Cabinet agrees the report as a basis for progressing nominations for the Local List following the consultation process carried out so far and that all nominations be evaluated against the criteria for selection through the establishment of an assessment panel.
- 2.2 An assessment panel be set up consisting of
- Chesterfield and District Civic Society
 - North East Industrial Archaeological Society
 - Chamber of Commerce
 - CBC Conservation Officer
 - CBC Planning Officer
 - Staveley Town Council
 - Brimington Parish Council
 - Representative of a local history group
 - A political balance of councillors.
- 2.3 That following the evaluation of the nominations, a revised recommended Local List is the subject of consultation with individual property owners.

2.4 That the recommended Local List and further consultation response be subsequently reported to the Deputy Leader and Cabinet Member for Planning and Cabinet for adoption.

3.0 Report details

3.1 In August 2012 the Deputy Leader and Cabinet Member for Planning agreed to the compilation of a draft Local List in consultation with the general public and key historic environment stakeholders within the Borough.

3.2 Initial consultation proposals and a process for compiling the list were agreed as well as the criteria for compilation.

3.3 The Local List would be a non-statutory designation recognising elements of the Borough's historic environment. Designations would normally cover buildings of historic or architectural merit, but it could also include monuments, sites or structures of particular value or interest. Historic England estimates that around half of local planning authorities in England and Wales currently have some form of Local List. Whilst not of national importance (this is provided by statutory listing), sites, structures or buildings on the Local List would be of significance to local communities and contribute to the distinctiveness of the Borough.

3.4 The initial nomination list criteria was developed following the guidance set out in the English Heritage document, 'Good Practice Guide for Local Heritage Listing', May 2012 and also by working closely with Chesterfield and District Civic Society. The use of the nomination criteria provide a fair and consistent means of assessing all nominations received for inclusion on the local list.

3.5 *Note: The Council's Conservation Officer left the planning authority in May 2014 which resulted in delays to progressing the Local List work. The Council's current Conservation Officer is now continuing the work.*

Policy position

- 3.6 Following adoption of the Local Plan Core Strategy 2011 - 2031, Policy CS19 requires the Council to identify and, where appropriate, protect a building on the Local List. The policy states that the Council has a presumption in favour of retaining heritage assets on the Local List. Development that involves substantial harm or loss of a non-designated heritage asset will not be acceptable unless it can be demonstrated that:
- The asset is structurally unsound and poses a safety risk.
 - It is unviable to repair or maintain the asset.
 - Alternative uses have been fully explored.
 - It would have wider social, economic or environmental benefits as part of a master planned regeneration scheme.
- 3.7 If a proposal meets these criteria, the council will seek a replacement development of a similar quality and, where possible, retain the features of the heritage asset.

Consultation

- 3.8 The call for nominations for a Local List was advertised in the local press (Derbyshire Times) and on the Council website, and the public were invited to nominate buildings to be added to the list in line with the agreed selection criteria set out in a "Developing a Local List of Heritage Assets" leaflet. (Appendix 1). The former Community Forums were also asked to nominate buildings within their areas.
- 3.9 The consultation took place over a six week period from 20th August to 28th September 2012. Nominations received after the consultation period have also been added to the list.
- 3.10 A total of 289 nominations have been added to the list arising from the initial consultation exercise (Appendix 2). The nominations involve a total of 471 buildings. The list has evolved from three methods:
- A review of the old local interest list formed as part of buildings which were not statutorily listed during the 1977 Borough survey (43 entries).
 - Those buildings on this old list which have since been lost have been deleted.
 - Officers' surveys across the Borough since 2007 to identify heritage assets in order to establish a local list (185 entries).

- Through public and amenity bodies consultation carried out from August 2012 (64 entries).

Assets on the draft Local List owned by Chesterfield Borough Council

- 3.11 The vast majority of the nominations are privately owned, but some are in public ownership, including ten owned by Chesterfield Borough Council. Table 1 lists the latter.
- 3.12 Given that the primary focus would normally be on the historic and architectural significance of heritage assets when collating a Local List, the Council's Conservation Officer does not consider it appropriate to take forward nominations 1- 4. Furthermore he considers these assets are also a) given status or some protection under existing planning policy (housing and park land for instance) and b) there is alternative legislation to provide status or protection of community buildings (which lack architectural or historic interest) such as identifying them as potential Assets of Community Value under the Localism Act.
- 3.13 Buildings 5-10 on Table 1 are considered appropriate to take forward given their historic/ architectural significance and local community value.

Table 1. Properties on the draft Local List under Chesterfield Borough Council ownership

	Property	Age of asset	Current use	Nominated by	Conservation Officer comments	Final Local List?
1	Pevensey Housing Estate, Newbold Moor	Post-1950s	Public housing	Former local Cllr	Fairly typical housing estate with no significant historic or architectural interest. <i>NB: Local Listing would not normally include large-scale housing development. This is the role of Conservation Area status</i>	X
2	Manor Rest Centre, Manor Road, Brimington	Contemporary	Public (community centre)	Brimington Parish Council	Small modern brick 1-storey building with no significant historic or architectural interest. <i>NB: Would be more appropriate to list as an Asset of Community Value.</i>	X
3	Newbold Community Centre, Newbold Village	Mid-C20	Public (community centre)	Officer	Fairly typical post-war modernist community building with no significant historic or architectural interest. <i>NB: Would be more appropriate to list as an Asset of Community Value.</i>	X
4	Stand Road Park, Chesterfield	C20	Public park	Former local Cllr	Whilst a popular and valuable local park, there is no evidence to suggest Stand Road Park has any significant historic or architectural significance. <i>NB: CBC parks already protected under Local Plan policies as a green infrastructure asset. .</i>	X
5	No 6 Ashgate Road (Afro Caribbean Community Association)	Late C19	Public (community centre)	Officer	Prominent and distinctive building with historic and architectural interest.	✓
6	Former Coach House, Goldwell Allotments	Early C19	Allotment	Local resident	Prominent and attractive and historic stone building part of Goldwell allotments.	✓
7	Cemetery Lodge, Chesterfield Rd, Brimington	1870s	Residential	Officer	Historic Edwardian building which is an important part of historic Eastwood Park.	✓
8	Village Hall, Eastwood Park	Early C20	Public park	Local resident	Historic Edwardian building which is an important part of historic Eastwood Park.	✓
9	The Lodge, Eastwood Park	Early C20	Public park	Officer	Prominent part of historic Eastwood Park.	✓
10	Memorial Gates, Eastwood Park	Early C20	Public park	Local resident	Large historic entrance gates which are an important part of historic Eastwood Park.	✓

Next Steps

- 3.14 There are no legal or statutory requirements to carry out public consultation regarding local listing. However, in line with best practice, owners of local heritage assets will need to be notified and consulted if their property is intended to be included on the local list. Given that a number of properties may not meet the assessment criteria, the intention is to consult property owners on a second revised draft list after the current list has been evaluated and assessed.
- 3.15 Such notification/consultation would specify which of the criteria it is considered that the proposed local heritage asset meets. The property owner's response will be considered and a final local list will then be prepared. This will be considered again by Deputy Leader and Cabinet Member for planning prior to a recommendation to the Cabinet for adoption of the Local List.
- 3.16 The formation of an assessment panel is necessary to consider all the nominations received and their recommendations and those judged by the panel to meet the criteria sufficiently will form the basis of the draft local list. The panel will normally be organized and chaired by the Council's Conservation Officer. Each nomination will be judged according to the following criteria:
- Architectural and artistic interest.
 - Historic interest.
 - Association with a community or cultural group in the local area for social; cultural, educational, industrial or spiritual reasons or the like.
 - Evidence about past human activity.
 - Contribution to townscape character.
- 3.17 The views of owners and occupiers will be taken into account but the decision to include a building or structure on the list should relate to its local distinctiveness or importance and the extent to which it meets the nomination criteria.
- 3.18 The intention is for the list to be regularly monitored and reviewed with future nominations added or removed on a six monthly basis.

3.19 Table 2 shows a time table for Local List preparation

Table 2. Local List - project timetable 2016/2017			
Date	Task	Outcome	Reporting
July 2016	Seek approval for an assessment of the initial draft Local List.	Approval to begin preparing a second revised draft Local List.	Deputy Leader and Cabinet Member for Planning.
Sept - Nov 2016	Formation of an assessment panel for Local List assessment.	Assessment panel formed with agreed timetable, meeting dates and assessment protocol.	n/a
Nov – Jan 2017	Second revised Draft Local List prepared after panel assessment.	A revised draft Local List prepared for consultation.	n/a
Feb 2017	Consultation with property owners on the second draft Local List.	Consultation responses from property owners.	n/a
Feb – March 2017	Assessment of, and response to, property owner’s comments.	A final Local List prepared.	n/a
April 2017	Presentation of final Local List to Members for approval.	Member approval.	Deputy Leader and Cabinet Member for Planning.
May 2017	Final Local List adopted and publicised.		
May 2017 onwards	Ongoing review of the Local List via an assessment panel (every six months).		

4.0 Human resources/people management implications

4.1 Given that the Local List work will be managed and resourced by existing Planning Services staff (i.e. the Conservation Officer) it is not considered that there are any implications for human resources.

5.0 Financial implications

- 5.1 The cost of developing the 'Local List' is being accommodated within existing budgetary and staffing provisions.
- 5.2 Including CBC assets on the Local List which might be placed on the open market may have some impact on the perceptions of potential buyers (e.g. that Local Listing may constrain redevelopment opportunities and hence final sales values). However, of the 10 assets in Table 1, only No.6 Ashgate Road is considered to fit within this category (5-10 are within existing parks or cemeteries which are very unlikely to have commercial redevelopment potential).
- 5.3 No.6 Ashgate Road and car park/storage building to the rear has been marketed for residential development. The Draft Planning Brief for the site recognises the historic and architectural value of No.6 Ashgate Road and its prominence in the street scene. As such the planning authority's recommendation is that the building be retained as part of a wider development scheme. At the time of writing an offer has been made for the site and the developer has indicated that No. 6 will be retained and converted to apartments. This indicates that Local Listing for this building is not having a detrimental impact on development viability.

6.0 Legal and data protection implications

- 6.1 The Localism Act has the potential to increase the role of communities in determining how planning decisions are made at a local level, including those involving heritage assets. The Act requires local planning authorities to maintain a list of assets of community value that have been nominated by the local community. As long as they meet the requirements set out in the Act, assets on a local heritage list may also qualify as assets of community value.

7.0 Consultation

- 7.1 As highlighted at paragraphs 3.8 – 3.11 Local List preparation work has been undertaken in the context of the appropriate and required public consultation.

8.0 Risk Assessment

Description of the Risk	Impact	Likelihood	Mitigating Action
Doing nothing	Medium	Medium	This would conflict with the Council's policy direction set out in the adopted Core Strategy policy CS19.
Significant objections from owners to nominations	Medium	Medium	Clear consultation process and consideration of amendments before adoption.
Impact on redevelopment opportunities if a site contains a Local List building.	Medium	Low	Historic buildings can act as a premium for redevelopment projects. Where this is not the case, applicants can demonstrate the building is unviable to maintain in accordance with criteria ii. Of Core Strategy policy CS19.

9.0 Equalities Impact Assessment (EIA)

9.1 Assessment of the equalities issues has resulted in the requirement to provide access to the consultation exercises for all members of the community. No other equalities issues are currently considered to be of relevance. However, an EIA will be carried out on a final Draft Local List when it is put forward to Members for approval.

10.0 Alternative options and reasons for rejection

10.1 The alternative option to Local List preparation is to not prepare a Local List. Members have already approved in principle the preparation of a Local List on the basis that it promotes conservation of the borough's historic environment.

11.0 Recommendations

11.1 That the Cabinet agrees the report as a basis for progressing nominations for the Local List following the consultation process carried out so far and that all nominations be evaluated against the criteria for selection through the establishment of an assessment panel.

11.2 An assessment panel be set up consisting of

- Chesterfield and District Civic Society
- NEDIAS
- Chamber of Commerce
- The Council's Conservation Officer
- CBC Planning Officer
- Staveley Town Council
- Brimington Parish Council
- Representative of a local history group
- A political balance of councillors

11.3 That following the evaluation of the nominations, a revised recommended Local List is the subject of consultation with individual property owners.

11.4 That the recommended Local List and further consultation response be subsequently reported to the Deputy Leader and Cabinet Member for Planning and Cabinet for adoption.

12.0 Reason for Recommendations

12.1 To progress development of the Local List to provide appropriate recognition of and protection of heritage assets within the Borough.

P STANIFORTH
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

***Further information on this report can be obtained from
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