

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING POLICY SUB-COMMITTEE on 30 June 2020

PART A : REPORT

SUBJECT: Local List Of Non-Designated Heritage Assets

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PORTFOLIO AREA: Planning

EXECUTIVE SUMMARY:

This report concerns the creation of a single list of non-designated heritage assets for the Arun Local Planning Authority area (LPA) which excludes that part of the district that falls within the South Downs National Park authority area. Non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes which have some local heritage significance.

Arun District Council has already identified two different types of non-designated heritage assets based on published criteria in the Arun Local Plan (2018). These being Areas of Character and Buildings or Structures of Character. These non-designated heritage assets, along with those clearly identified within 'made' Neighbourhood Development Plans, will be compiled into one new list which can be reviewed on a regular basis so that it remains up to date.

Further, this report also sets out the process for how non-designated heritage will be kept up to date according to the published criteria (including those proposed in 'made' Neighbourhood Development Plans) as well as undertaking any public consultation.

RECOMMENDATIONS:

The Planning Policy Sub-Committee (PPSC) is asked to

1. Resolve that those non-designated assets included within the new local list be endorsed; and
2. Recommend to Full Council that the Buildings or Structures of Character and Areas of Character Supplementary Planning Documents are deleted, and that the existing Area of Character descriptions will be saved and placed on the council's website.

1. BACKGROUND:

1.1 The historic environment is an asset of cultural, social, economic and environmental value, contributing to our sense of history, place and quality of life. Most of the structures and places that contribute positively to our historic environment can be classified as heritage assets.

1.2 A heritage asset is defined by the Government's National Planning Policy Framework (NPPF 2019) 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'.

1.3 Heritage assets include those that are 'designated' such as listed buildings, conservation areas and scheduled monuments; and those that are 'non-designated'; that is ones identified by the Local Planning Authority as having local interest.

What are non-designated heritage assets?

1.4 The Planning Practice Guidance (PPG) identifies that non-designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

1.5 The LPA are advised to provide clear and up to date information on non-designated heritage assets and make it accessible to the public to provide greater clarity and certainty. This information is usually contained in a document referred to as a 'local list'. Such a list should also incorporate those assets which are identified within Neighbourhood Development Plans.

The Implication of Identifying Non-Designated Heritage Assets

1.6 Entry on a local list means that its conservation as a heritage asset is a material consideration when determining planning applications. Paragraph 197 of the NPPF states that such assets can merit consideration in planning matters, with the authority taking a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.

1.7 Identification as a non-designated heritage asset will also mean that any planning application will need to be supported by a heritage statement. The intention being to encourage applicants to carefully consider the impact that their proposals will have on the asset, and prepare a suitable scheme as a result.

1.8 However, it should be noted that the local list is not intended to restrict development, but encourage the re-use of existing buildings, structures and sites and require that new development is sensitive to their setting.

How are non-designated heritage assets identified?

- 1.9 Whilst non-designated heritage assets can be identified in a number of ways (see Background paper 1: Local Heritage Listing: Historic England Advice Note 7) they should ideally be identified by the LPA in accordance with published criteria. These assets should then be presented in a published document or list.
- 1.10 Non-designated assets can also be identified through the local and neighbourhood plan-making processes and as part of preparing conservation area appraisals.

Arun Non-designated Heritage Assets

- 1.11 Arun has already identified two types of non-designated heritage assets; Areas of Character (AOC) and Locally Listed Buildings or Structures of Character (LLBSC). These are identified based on criteria contained within the adopted Arun Local Plan 2018 (See Appendix 1), and supplemented by specific planning policies; in this case policies HER DM2: Locally Listed Buildings or Structures of Character and HER DM4: Areas of Character.
- 1.12 The LPA has already identified 13 Areas of Character and 1,242 Locally Listed Buildings or Structures of Character. The Areas of Character have descriptions which identify the special qualities which contribute to their significance, where as the Locally Listed Buildings or Structures of Character are identified according to the criteria that they meet. Further information is contained within two Supplementary Planning Documents. The adopted Arun Local Plan 2018 also identifies the remnants of the Portsmouth and Arundel Canal in policy HER DM5. As such it is also a non-designated heritage asset.
- 1.13 The nature of SPD's and the way in which they are prepared therefore, means that the authority cannot make any revisions to these lists, without a full review of the SPD document being undertaken. This in turn means that if an unknown non-designated heritage asset is identified, it cannot automatically be added on to the list or deleted if no longer of merit. These assets should be consolidated onto the single list, although some may potentially need to be reviewed subsequently if they have become out of date.

Neighbourhood Development Plan

- 1.14 A number of made Neighbourhood Development Plans (NDP) have included a list of Locally Listed Buildings or Structures of Character. These lists either replicate the existing Arun Local Lists (included in the above SPD) or include others that the made NDP has identified as assets. However, a number appear as proposals for the Council to take forward and assess as buildings or specific areas to add to its Local List of Heritage Assets. As such, these proposals are not clearly identified as designations at this time and will require further assessment.

Proposal

- 1.14 The proposals involve creation of one single Local List (in accordance with the PPG) outside of the SPD process and consists of two elements:-
- Creation of a new single Local List collating of all of the existing non-designated asset lists;
 - A review of those assets where required within the NDP or those out of date.

Creation of a new single Local List collating all of the existing lists

- 1.16 In order to ensure that the assets remain up to date, whilst also in one location, it is proposed to create one, new single Local List. This will consist of the assets previously contained within the two SPD and other assets identified in the adopted ALP /made NDP.
- 1.17 This proposed single Local List is contained within background paper 2 of this report. As this list will no longer be contained within an SPD, it will be possible to update it on a more regular basis, and the material weight given to the non-designated assets will remain robust subject to the relevant asset meeting the published criteria, and members approving any recommendations from officers.
- 1.18 The merger of the assets already contained within the existing SPD, will mean that the following SPD will no longer be required: the Buildings or Structures of Character and Areas of Character should be deleted. The existing Area of Character descriptions will be saved and placed on the council's website.
- 1.19 This stage of the work will be followed by a review of all of the assets proposed for addition to the list.

A review of those assets proposed within the NDP

- 1.20 In order to ensure that the LPA is compliant with the guidance contained within the PPG, in providing clear and up to date information on non-designated heritage assets, officers will review proposed assets identified in the NDPs for the Council to assess, against the published criteria (Appendix 1) and report back the results to the Planning Policy Sub-committee.

2. PROPOSAL(S):

That the existing assets contained within two Supplementary Planning Documents and the Arun Local Plan are collated to form one single Local List. This is followed by a comprehensive review of all of the non-designated heritage assets (including those proposed within 'made' Neighbourhood Development Plans) in conjunction with Town and Parish Councils and conservation groups such as the Conservation Area Advisory Committee.

3. OPTIONS:

- To merge all of the existing non-designated heritage assets into one manageable single Local List, which can easily be kept updated.
- To keep the lists in various locations, including SPD, which cannot be easily updated.

4. CONSULTATION:

Consultation has previously been undertaken with communities, stakeholders and property owners, either as part of the production of the SPD or the individual Neighbourhood Development Plans. Further consultation will be undertaken at the appropriate time when the assets are reviewed.

	YES	NO
Has consultation been undertaken with:		
Relevant Town/Parish Council		X
Relevant District Ward Councillors		X
Other groups/persons (please specify)		X
5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	X	
Legal	X	
Human Rights/Equality Impact Assessment		X
Community Safety including Section 17 of Crime & Disorder Act		X
Sustainability	X	
Asset Management/Property/Land	X	
Technology		X
Other – Officer Resources	X	

6. IMPLICATIONS:

LEGAL: the merger of the assets already contained within the existing SPD, will mean that the SPD will no longer be required: Buildings or Structures of Character and Areas of Character should be deleted. The existing Area of Character descriptions will be saved and placed on the council's website.

FINANCIAL: there will be resource costs associated with undertaking a review of existing and potential non-designated heritage assets.

SUSTAINABILITY: the protection of the historic environment is included in the definition of sustainable development in the NPPF.

ASSET MANAGEMENT/PROPERTY/LAND: identification as a non-designated heritage asset has implications for property/land owners.

OTHER – OFFICER RESOURCES: officer resources will be required to manage the process of reviewing the list of non-designated heritage assets.

7. REASON FOR THE DECISION:

To ensure that the LPA follows the guidance in the Planning Practice Guidance that all non-designated heritage assets are contained within one list, based on published criteria. Further, this proposal will ensure that additional assets can be included in the list in order to ensure that they are fully identified or that assets can be deleted where no longer of merit for inclusion. The full review of out of date or proposed non-designated heritage assets requested by NDP will allow the authority to identify those that have not been identified until now. It will also allow the authority to make

landowners aware that their property is identified as a non-designated heritage asset.

8. EFFECTIVE DATE OF THE DECISION: *Committee Services to insert*

9. BACKGROUND PAPERS:

Background Paper 1: [Local Heritage Listing: Historic England Advice Note 7](#)

Background Paper 2: [Draft List of Non Designated Heritage Assets](#)

Appendix 1: Criteria for identifying the Locally Listed Buildings or Structures of Character and Areas of Character.

Locally Listed Buildings or Structures of Character criteria:

- a) Buildings of outstanding design, detailing, appearance or special interest because of the use of materials;
- b) Buildings which are extremely good examples of traditional or established style, or of unusual type;
- c) In special cases, buildings or structures which contribute towards the local townscape or have important historical or social associations;
- d) All buildings must be largely intact and not adversely affected by later extensions or alterations;
- e) Preferably, although not exclusively, they should make a positive contribution to their surroundings or the street scene.

Areas of Character criteria:

- a) The area must have been substantially built before 1939. Only in exceptional cases will areas dating from a later period be designated;
- b) The area must have a recognisable and distinctive special character worthy of protection;
- c) The area must contain buildings, the majority of which are distinctive or of a high quality design and appearance; and
- d) The area must be of sufficient size to be identifiable and cohesive.