

# Gloucester City Council

<b>Meeting:</b>	<b>Cabinet</b>	<b>Date:</b>	<b>6 November 2019</b>
<b>Subject:</b>	<b>The Creation of a Local List of Heritage Assets for Gloucester City</b>		
<b>Report Of:</b>	<b>Cabinet Member for Regeneration and Economy</b>		
<b>Wards Affected:</b>	<b>All</b>		
<b>Key Decision:</b>	<b>No</b>	<b>Budget/Policy Framework:</b>	<b>No</b>
<b>Contact Officer:</b>	<b>Charlotte Bowles-Lewis, Principal Conservation Officer</b> <b>Email: charlotte.bowles-lewis@gloucester.gov.uk Tel: 396855</b>		
<b>Appendices:</b>	<b>1. Consultation Responses to Draft Criteria</b> <b>2. Local List Selection Criteria</b> <b>3. Terms of Reference for Selection Panel</b> <b>4. Nomination Form</b>		

## FOR GENERAL RELEASE

### 1.0 Purpose of Report

- 1.1 The purpose of this report is to seek Cabinet's approval to prepare, consult upon and adopt a List of Locally Important Heritage Assets (The Local List) – heritage assets and sites that are of local rather than national importance, (such as listed buildings) for Gloucester City.

### 2.0 Recommendations

- 2.1 Cabinet is asked to **RESOLVE** that:

- (1) the principle of preparing, consulting and adopting a list of locally important heritage assets for Gloucester City (The 'Local List') be approved
- (2) the local list selection criteria that has been consulted upon and included in Appendix 2 be used for the identification of such assets, be approved.
- (3) a panel of experts be established to use the adopted selection criteria to make recommendations on whether to add buildings, structures or other features to the local list, and to authorise amendments, additions and deletions, as required and terms of reference will be established. The result of the panel meeting will be used as the basis for a draft list to be formally consulted upon and for a Cabinet report to be presented on these findings for formal adoption. See Appendix 3 for terms of reference for selection panel and Appendix 4 for nomination form.

### 3.0 Background and Key Issues

- 3.1 Gloucester has a unique and rich heritage formed by historic buildings, street patterns, archaeological remains, landscape and other physical remnants of its past. A city of intense urban activity for nearly two thousand years, it has a special legacy

of nationally significant heritage from all historic periods. The heritage of the city is central to its identity. It defines much of what is locally distinctive and impacts on how the city's residents and visitors feel, use and perceive the city. This has wide reaching implications on the image of the city, the economy, tourism, legibility and the health and wellbeing of the city's residents.

- 3.2 The National Planning Policy Framework (NPPF) defines a heritage asset 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. Heritage assets include designated heritage assets and assets identified by the local planning authority (including local listing)*”. Designated heritage assets are identified by central government, such as listed buildings of all grades and scheduled monuments; or by local planning authorities, such as conservation areas.
- 3.3 Gloucester City is one of the last local authorities within the County which does not have a local list, Cheltenham established a list in 2007, followed by South Gloucestershire. Stroud District and Tewkesbury are compiling a list and Cotswold has its selection criteria embedded within its Local Plan.

### **What is a ‘Local List?’**

- 3.4 A Local List is a list of heritage assets that although not suitable for designation nationally as a Listed Building or Scheduled Monument are considered historically or architecturally important at a local level, are valued by the local community and make a significant contribution to the character Gloucester. A Local List provides an opportunity for the community and a local authority to jointly identify heritage assets that are valued as distinctive elements of the local historic environment, these could be parks, buildings, monuments or archaeological areas. Residents and society groups can get involved and survey, research and nominate assets for the Local List.
- 3.5 Accordingly, Gloucester City Council seeks to create a local list, starting with buildings, structures, archaeological sites, green spaces and locations that have been identified as a result of evidence base work for the City Plan relating to the Townscape Character Appraisal of the City and site analysis assessment for housing allocations and routine planning applications.
- 3.6 As part of the Great Place scheme volunteers will be recruited from the community including local heritage societies, community groups, as well as the wider community, to carry out the surveys in Gloucester City Centre to record and research candidates for inclusion in Gloucester's Local Heritage List.
- 3.7 A Community Engagement Officer has been funded through the Great Place scheme until March 2020 who will engage, recruit and manage volunteers in surveying local list candidates. This officer will also create a schedule of nominations for review by an expert panel which will be established. The review of the nominated assets will require officer time and it is anticipated that conservation and archaeology officers from the Grown and Delivery team will be required as part of this panel review. Once reviewed a nomination list will be established and this will require further consultation prior to a report being written for approval and the formal list to be adopted. Officer time will be required to complete the consultation and provide a report on the final list to be recommended for adoption.

- 3.8 There are several options for how a local list can be adopted and various approaches by other local authorities, this includes via planning committee, cabinet report or as a Supplementary Planning Document agreed by full council. Prior to the final list being approved the nominations would be reviewed by the specialist panel and the planning policy working group.
- 3.9 Time will be required by the archaeologist to input data into the Historic Environment Record (HER). The updating of the HER is part of the job role of the archaeologist and the officer has confirmed that this can be achieved in a reasonable time period should a list be adopted. Regarding a future review officer time will be required to complete this, it is anticipated that through the High Street Heritage Action Zone a community officer role will be funded. Therefore, a key aspect of this externally funded role will be to recruit and engage with the local community and volunteers and this could include further work on the local list.

### **Selection Criteria**

- 3.10 The criteria has been established by the heritage team following Historic England Guidance "Local Heritage Listing: Historic England Advice Note 7" which can be found online at <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>

For inclusion on the Local List, heritage assets should be of architectural, historical or archaeological interest. General Principles of Selection include age and rarity, aesthetic merits, landmark qualities, intactness (state of originality), group value or social and communal value. A copy of the selection criteria which has been consulted upon is provided in Appendix 2.

- 3.11 It is proposed that the above selection criteria be used in the process of compiling a local list for Gloucester. Initially this would identify candidate assets through surveying of areas described in section 3.6 above. However, new, non-designated, local heritage assets could also be revealed during the development management process, either during pre-application discussions or during the determination stage. This has been confirmed in para 5 of The Historic Environment Good Practice Advice in Planning Note 2, which advises that: "*Non-designated heritage assets can include those that have been identified in a Historic Environment Record, in a local plan, through local listing or during the process of considering (a development) application*".
- 3.12 The draft criteria were formally consulted upon between 18th June to 16th July 2019 for 4 weeks. The document was available on the council website and publicised on social media. Nine consultation responses were received from individual and local societies including Friends of Hillfield Gardens, Civic Trust and Friends of Alney Island, all were supportive of the proposal. Comments included:

- *Great way to recognise architecture of local significance*
- *Excellent scheme and idea that can only benefit the area through cultural and financial gain*
- *Glad to see Archaeological sites included*
- *An excellent initiative that should help conserve the rich heritage of Gloucester and maintain the sense of place*
- *Well thought out plan, clearly going to be a success.*

- 3.13 The Civic Trust discussed the proposal for a local list at their Council of Management Meeting on the 18<sup>th</sup> July, (although after the consultation period had ended) they are keen to support and endorse a local list for the city. They confirmed by email that they wish to be part of the review panel which will make recommendations to Cabinet for adoption. Detailed responses are set out within the consultation response sheet, see Appendix 1. This is welcomed due to the Civic Trusts experience and interest in historic sites in Gloucester.
- 3.14 A meeting was held with the Planning Policy Members Working Group on the 25th September. The purpose of the meeting was to review the selection criteria for formulating the local list together with discussing the consultation comments. The proposals and selection criteria were received positively at the meeting with all members supporting the proposal for a local list of heritage assets for the City.
- 3.15 Adopting a local list will be an evolutionary process and further assets will be identified following the initial list being approved. It is proposed, that Gloucester City Council will seek nominations for additions to the list on a two or three year basis. This would require a call for nominations, a further review by the nomination panel and planning policy working group prior to a final report being presented to the Council for formal adoption should the list be in the form of a Supplementary Planning Document.
- 3.16 The owners of all heritage assets that have been identified as candidates for inclusion on the local list would be contacted at the time of public consultation for comment and the reasoning behind the asset's identification, and the implications to the asset's owner, would be explained. A letter template will be formulated for this. The inclusion on the local list would not be excluded on ownership grounds alone if objected to but would be assessed based on the survey information and evidence submitted regarding criteria.

## Policy

- 3.17 Members should be aware that the identification of such heritage assets on a local list would not confer any additional statutory protection or consent requirements upon them, over and above those normally required for planning permission. This is confirmed by the NPPF whereby *"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."* (Para 197, NPPF, MHCLG, February 2019) In effect, the adoption of a Local List allows the council a greater role in managing change as it affects such assets, by recognising the significance that they possess as an influence on planning decisions, so that there is a greater chance of local character and distinctiveness being maintained. This need not be a brake on development but is a way of ensuring that where development does take place, due consideration is given to local significance in order to minimise harm and ensure that good design positively enhances both the asset and the local environment.
- 3.18 The policies in the Council's forthcoming City Plan include a policy for sites, buildings which are included in a local list and this recommends -

1. *The assessment of whether a site, feature or structure is considered to be a non-designated heritage asset will be guided by the criteria set out within the policy.*
2. *Development affecting a non-designated heritage asset should be of high quality, designed sympathetically and preserve the historic and architectural interest by retaining any features of significance. Development should respect the surrounding landscape and its setting.*
3. *Development will seek to enhance the character of the non-designated heritage asset. Proposals for demolition or total loss of a non-designated heritage asset will be subject to a balanced assessment taking into account the significance of the asset, the scale of harm or loss and all reasonable steps have been taken to retain the asset, including assessment of alternative uses.*

3.19 The establishment of a local list would help the council to identify those 'exceptional local assets' which retain most of their original historic fabric and contribute positively to the district's environmental quality. It would be prudent, therefore, for the council to consider introducing an Article 4(2) Direction at some stage. This direction would restrict householder permitted development rights, which allow certain alterations to be made, such as erecting new porches, replacing windows and doors, or roof coverings and the painting of the exterior of a building; and instead require planning permission to be sought for these works. This additional control would give a further safeguard to buildings of local merit whose authentic architectural and historic qualities are demonstrably significant. This option could be considered at a later stage should a local list be agreed for the City.

#### **4.0 Asset Based Community Development (ABCD) Considerations**

4.1 Community organisations will benefit from:

- An opportunity for local societies and individuals to get involved in surveying and to have their research acknowledged and put to real, practical use in the planning process
- An opportunity to develop personal knowledge and skills while contributing to something of lasting benefit, training will be provided through the Great Place Scheme for all volunteers
- Completed site reports which can be entered on a local authority's Historic Environment Record (HER) and local archive websites such as Know Your Place to provide a permanent and accessible resource for learning about local heritage both in the local area and nationally

4.2 The proposal for a local list was reviewed as part of the Heritage Strategy and was an aspiration of partner organisations such as Civic Trust, Heritage Forum. The contribution of creating a list will play a part in revitalizing, learning, enjoying or living and working within Gloucester's historic environment. The Great Place scheme is developing and building capacity in the community (third) sector and increasing volunteering opportunities which will ensure that heritage has a wider reach and profile in Gloucester City.

4.3 A survey of businesses within Westgate Street undertaken by the Growth and Delivery Team during the spring identified that businesses felt that the historic buildings of Westgate are a clear tourist attraction and brought in local people to the City, 100% of respondents agreed with the suggestion. While this is a small proportion of the City it demonstrates that business are not put off by operating in a historic property. Therefore, the proposal of a local list for Gloucester would not be negative

based on the feedback received as part of the consultation undertaken on the selection criteria and Heritage Strategy work.

## **5.0 Environmental Implications**

- 5.1 The quality of environment is a key factor in attracting people to live, work and invest in the City. The concentration of historic buildings in Gloucester City Centre, creates a more attractive environment for local shoppers and visitors. It is essential to realise the full potential of Gloucester's historic environments as a key element in making the City prosperous.

## **6.0 Alternative Options Considered**

- 6.1 Alternative options were considered, this included do nothing. Not to adopt a local list. This would mean that the council would have fewer opportunities through the planning process to safeguard those elements of its historic environment that have local significance, and which may be valued by local communities. This could increase the risk of a weakening and devaluing of environmental quality across the district. If no local list is adopted and completed this would also result in failing to meet Great Place objectives.
- 6.2 Identify assets during the development management process but do not establish a local list - This would remove the valuable opportunity, currently underway, of working in partnership with local community groups and providing them with an opportunity to recognise the value of the historic environment. It would also mean that the council was unable to identify these assets in any meaningful way and work proactively with developers and home owners. At present where assets are identified this is reactive through the planning process and can slow the system down while discussions take place.
- 6.3 Funding is presently available through Great Place via the Arts Council and National Lottery Heritage Funding to enable a local list to be created through the resourcing of the community engagement officer. This role will recruit, co-ordinate and manage volunteers to research, survey and compile the local list.
- 6.4 Therefore as part of the positive approach to regeneration as recommended with the National Planning Policy Framework and Planning Practice Guide to establish a local list and, as outlined in the heritage strategy as a key opportunity this is the preferred option.

## **7.0 Reasons for Recommendations**

- 7.1 The National Planning Policy Framework 2019 paragraph 185 states:  
*Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*
- a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*
  - b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*
  - c) the desirability of new development making a positive contribution to local character and distinctiveness; and*

*d) opportunities to draw on the contribution made by the historic environment to the character of a place*

- 7.2 A local list has been identified as a key opportunity within the recently adopted Gloucester Heritage Strategy 2019 -2029.
- 7.3 The City Council draft local plan contains a policy for the City relating to any sites or buildings which are added to a local list.
- 7.4 The adoption of local list is a key objective of the Great Place scheme strand "Achieving Heritage Through Regeneration" (ARCH) funded by the Heritage Fund and Arts Council. A community engagement officer is in post to engage, recruit and manage volunteers to survey local list candidates therefore would enable a list to be created due to additional resourcing being provided to manage this element.
- 7.5 The Planning Practice Guidance relating to the Historic environment states that *"Plan-making bodies should make clear and up to date information on non-designated heritage assets accessible to the public to provide greater clarity and certainty for developers and decision-makers."* Therefore, having an adopted list would inform planning decisions and identify the specific quality of the local historic environment more accurately prior to applications being submitted, providing a positive and proactive approach to the historic environment plan making process, which would speed up the planning process.
- 7.6 Community organisations will benefit from:
- An opportunity for local societies and individuals to get involved in surveying and to have their research acknowledged and put to real, practical use in the planning process
  - An opportunity to develop personal knowledge and skills while contributing to something of lasting benefit, training will be provided through the Great Place Scheme for all volunteers
  - Completed site reports which can be entered on a local authority's Historic Environment Record (HER) and local archive websites such as Know Your Place to provide a permanent and accessible resource for learning about local heritage both in the local area and nationally

## **8.0 Future Work and Conclusions**

- 8.1 Subject to approval to implement a local list the community engagement officer for Great Place will recruit and manage volunteers to survey and review local list candidates. This information will be reviewed, and a schedule of nominations put together for a panel of experts, to determine which are to be added to a formal list of heritage assets for Gloucester. This final list will be presented to cabinet for review and adoption.
- 8.2 This information will be uploaded to the Councils website and the Gloucestershire Historic Environment Record.
- 8.3 Should this be successful the aspiration is for future sites to be surveyed by volunteers and any new nominations be reviewed and adopted on two to three-year cycle.

## 9.0 Financial Implications

- 9.1 There are no direct financial implications on the Council of this proposal.
- 9.2 The Council contributes in-kind officer time to the Great Place programme, drawing upon the time of staff within the Heritage team. It is estimated that the attending a review panel, consultation and administration of the Local list would demand approx. 15 days of officer time during year one, with less input required in subsequent years to support the maintenance of the Local List due to established protocol being in place.

## 10.0 Legal Implications

- 10.1 The selection criteria have been subject to a period of 4 weeks of consultation during the period of 18<sup>th</sup> June to 16<sup>th</sup> July 2019.
- 10.2 The recommendations conform with the requirements of the NPPF and its supporting advice and modelled on guidance prepared by Historic England. The creation of the local list may result in the introduction of Article 4(2) Directions for the best examples, this would involve assistance from legal services in making the Article 4(2) Directions and confirming them. This would seek control of demolition of Locally Listed Buildings outside a conservation area and alteration or removal of locally listed windows, chimneys, boundaries and railings, inside and outside a conservation area.
- 10.3 Although there is no right of appeal following inclusion on the local list, should a planning application be refused because it cites the impact on non-designated heritage assets, there is the right of appeal to the Planning Inspectorate who will make an independent judgement on the impact of the proposed development on the heritage asset. To make sure that the bar for inclusion on the list has been set at an appropriate height, we will carefully review all appeal decisions that include non-designated heritage assets, to act as a bench mark and prevent the process becoming an unintentional drain on resources. The aim is to drive up standards with presumption in favour of sustainable development as set out in the NPPF.

(One Legal have been consulted in the preparation of this report.)

## 11.0 Risk & Opportunity Management Implications

11.1

Pre-Mitigation Risk	Impact	Likelihood	Mitigating Measures
Continue to advise on planning applications without a local list being adopted	High	Med	There is the potential risk that if such assets are not locally listed then they could be subject to adverse changes and so fail to add positively to an area's identity and character through good design. The planning team would work reactively with developers and owners and this slows down the planning process and take up valuable time and resources.

Delay adopting a local list	<b>High</b>	<b>Med</b>	At present the Great place has funding to enable a list to be produced through the Community Engagement Officer Role. This role has the capacity to recruit, manage and co-ordinate volunteers, helping to compile local list candidates for review by an expert panel.
Opportunity to provide a pro-active and comprehensive planning service if a local list is adopted	<b>High</b>	<b>High</b>	The planning team can work positively with developers and owners speeding up the planning service being offered therefore saving officer time and resources.

## **12.0 People Impact Assessment (PIA) and Safeguarding:**

- 12.1 Gloucester's historic environment is a unique resource which has the potential to be key driver to the economic and social revival of the City. The careful enabling and integration of the historic environment into regeneration projects and strategic planning can play a significant and successful role in transforming the built environment of the City in enhancing the experience of those who live and work there by improving sense of place, pride, health and wellbeing.
- 12.2 The PIA Screening Stage was completed and did not identify any potential or actual negative impact; therefore, a full PIA was not required.

## **13.0 Community Safety Implications**

- 13.1 Creating Pride in the City and working with the community to create a sense of pride in Gloucester.

## **14.0 Staffing & Trade Union Implications**

- 14.1 None

**Background Documents:** None