

Committee:	Cabinet	Date:
Title:	Local Heritage List	Tuesday, 16 October 2018
Portfolio Holder:	Councillor Susan Barker, Portfolio Holder for Environmental Services	
Report Author:	Angharad Hart, Conservation Officer, 01799 510531	Key decision: No

Summary

1. This report seeks the agreement of Cabinet members for the publication of the Local Heritage List (LHL).
2. The document in question is a collection of non-designated heritage assets across the district, identified through the existing conservation area appraisals or through officer/ public nomination.
3. Each entry has been assessed against a set Selection Criteria (approved by Cabinet June 2017) and found to meet a minimum of two criteria.
4. The list does not represent an exhaustive district wide survey but is the first edition of the LHL, which will be a rolling document and updated periodically.

Recommendations

5. That Cabinet approves the first edition of the Local Heritage List at Appendix 3.
6. That Cabinet delegates authority to the Assets of Community Value Committee to determine the inclusion or deletion of buildings from the Local Heritage List, redesignating the Committee as the Assets of Community Value and Local Heritage List Committee.

Financial Implications

7. There are limited financial implications arising from the publication of the Local Heritage List. The approved document would simply be uploaded to view on the council's website, at minimal cost and links to the document circulated to council officers, members and parish/ town councils by e-mail. We will also write to the owners of the properties on the agreed list.

Background Papers

8. The following papers are referred to by the author in this report.
 - Appendix 1: Summary of consultation responses and officer comments

- Appendix 2: Report of Public Participation on the Uttlesford Local Heritage List 23 May - 4 July
- Appendix 3: [Local Heritage List - October 2018](#)

Impact

9.

Communication/Consultation	A six-week public consultation has been carried out.
Community Safety	None
Equalities	None
Health and Safety	Health and Safety procedures were observed during site visits to collect data and run the public exhibitions.
Human Rights/Legal Implications	The approval of the LHL is not considered to impact upon Human Rights or carry Legal implications, as it does not impose additional planning constraints.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	The requirements of the project were met with existing work resources from the conservation team, planning support team, GIS team and reprographics department.

Situation

10. Further to the agreement of the principal of preparing a Local Heritage List in 2017, officers have been assessing nominations and potential candidates against an agreed selection criteria, and have produced a draft list.
11. This draft list was published for a full six-week public consultation in May 2018 and the following report discusses the findings of this consultation. It has also been amended to reflect the comments received as part of the public consultation.
12. The process of collating nominations and assessing the assets against the selection criteria was managed by the Conservation team as part of their role, and remit of proactive conservation work.
13. Inclusion on the Local Heritage List does not introduce additional planning constraints on the property or structure in question, but should be viewed as a

material planning consideration when applications relating to these assets are submitted and determined.

14. Where a property is included on the register, and a planning application is submitted in relation to it, the impact of the proposed development on the significance of the non-designated heritage asset should be considered as part of the decision making process. If the proposal would cause serious harm to, or total loss of significance, or any specific features identified in, but not limited to, the asset's description, then a balanced judgement should be made when determining the application.
15. Existing Article 4 Directions which may be in place on the properties identified on the Local Heritage List will be unaffected by their inclusion on the list, but it is expected that their inclusion will be considered and given due regard when applications relating to works restricted by an Article 4 Direction, are considered as part of a planning application.
16. The consultation process involved a six week public consultation period between 23rd May and 4th July 2018. During this time, two public exhibitions were held, as follows:
 - E.T. Foakes Hall, Stortford Road, Great Dunmow on Wednesday 30 May 2018 – 5pm to 8pm
 - Uttlesford District Council Offices, Saffron Walden on Wednesday 6 June 2018 – 5pm to 8pm
17. These public meetings were attended by in excess of 38 people, who had the opportunity to meet with the officers responsible for the compilation of the list, and ask any questions regarding the document, or individual entries.
18. A webpage was also set up on the council website, providing access to view the draft Local Heritage List document, and access additional information regarding the project, and consultation process itself. A consultation feedback form was also made available.
19. A press release was issued on 22 May and was subsequently published in local newspapers. It was also available on the council's website.
20. Copies of the draft Local Heritage List were also available to view at the following locations for the duration of the consultation:
 - Council Offices in Saffron Walden
 - Saffron Walden Library
 - Saffron Walden Tourist Information Centre
 - Thaxted Community Information Centre
 - Great Dunmow Library
 - Stansted Crafton Day Centre

21. As part of the consultation, letters were sent out to each of the properties listed, advising them of the LHL process, and inviting them to participate in the public consultation. A small number of letters were returned, due the addressee having 'gone away' or the address not being recognised. Replacement letters were issued and land registry searches undertaken where necessary, to identify owners so that they could be informed of the consultation.
22. A total of 40 responses were received from statutory consultees and members of the public as part of the public consultation. These are detailed in the accompanying report 'Report of Public Participation on the Uttlesford Local Heritage List 23 May – 4 July 2018'.
23. A total of 17 responses wrote in support of the Local Heritage List whilst 14 responses recorded no objection.
24. There were 8 responses which raised objection to the Local Heritage List, either in principle or in reference to the inclusion of individual assets.
25. Additional e-mails were received from owners and parish councils requesting further confirmation of the process. As these were requests for further clarification rather than feedback on the list, they have not been included in the accompanying report.
26. Minor amendments have been made to the draft document to correct spelling errors, or discrepancies in the list descriptions regarding materials etc. The corrections are reflected in the final document which accompanies this report.
27. Additional paragraphs have also been introduced to sections 1.0 and 4.0 to assist the reader, and in response to the public responses received.
28. Paragraph 1.6 seeks to elaborate on the guidance set out in the National Planning Policy Framework, 2018 and details paragraph 188 of the NPPF, 2018.
29. Paragraph 3.1 (formerly 4.1 in the draft document) has been amended to reflect the importance of the Local Heritage List and the weight that should be given to the document as part of the decision making process. This reflects comments that we have received through the public consultation.
30. Paragraphs 4.1 – 4.3 formally introduce the list entries, and provide guidance regarding the criteria and values.
31. In order to improve navigation of the document, a contents page has also been introduced with page numbers of the individual villages.

32. A total of 4 assets have been omitted from the final list in response to the consultation. These were entries 069, 199, 391 and 392. The reasons for their omission are below:

Ref: 069 – Lulworth House, Great Chesterford – Comments received as part of the consultation prompted a review of the entry. As a result, the property was not considered to meet the minimum selection criteria.

Ref: 199 – WWII Nissen Huts opposite gardens of Easton Lodge – due to some of the huts having been subject to modern alteration, primarily to the fenestration

Ref: 391 – Water Pumps, Town Street, Thaxted - The entry was Grade II listed and not eligible for inclusion on the Local Heritage List.

Ref: 392 – K6 Telephone Kiosk, Thaxted - As above.

33. One asset (Ref: 406 – Strip Lynchets, Manuden) has been included in the final list, but was omitted from the draft consultation document as it had previously been considered not to meet the selection criteria. As a result of additional justification provided as part of the consultation, officers have decided that the asset justifies inclusion on the list.

34. A layer has already been set up on the GIS mapping system, and constraints mapping, to identify the assets should the LHL be approved by Cabinet. This will only come into effect if the report is approved by Cabinet.

35. The current list comprises over 400 entries, and over 800 individual assets. Some assets identified for nomination were not included, as they failed to meet the minimum selection criteria due to unfortunate modern alterations. A record of these properties has been retained, and exemplifies the need to identify and protect important non-designated assets in the district, before they are subjected to unsympathetic modernisation and alteration, which diminishes their overall significance.

36. Key themes raised during the public consultation were as follows:

- Concern that local listing would impact development rights (Please refer to paragraph 12, 13 and 14 of this report)
- Concerns that individual entries were not worthy of inclusion on the Local Heritage List
- Suggested amendments to make the document more accessible to the all users
- Support for the inclusion of the Railway Arms (Ref: 305) in Saffron Walden (7 responses to this effect)
- Support for the inclusion of Friends School (Ref: 288) in Saffron Walden
- Support for amending the selection criteria for the Railway Arms in Saffron Walden (Ref: 305) to include criterion E and F.
- Support for the inclusion of the Strip Lynchets in Manuden (Ref: 406)

Risk Analysis

36.

Risk	Likelihood	Impact	Mitigating actions
<p>Inability to identify non-designated heritage assets within the district may lead to applications being determined without due regard or consideration for their local, historic, significance.</p>	<p>3</p>	<p>3</p>	<p>The Local Heritage List offers a method of formally identifying these assets, and ensuring they are highlighted as part of the constraints information when applications are submitted.</p>
<p>Without a clear set of criteria for assessing such assets, refusals and appeals against unsympathetic works may be undermined.</p>	<p>3</p>	<p>3</p>	<p>The Local Heritage List is supported by a robust selection criteria which gives weight to the designation of an asset as being a non-designated heritage asset giving the application of relevant paragraphs from the NPPF, 2018 greater transparency.</p>

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.