

Executive

Criteria for Local Heritage Assets Register

1 July 2013

Report of Head of Strategic Planning and the Economy

PURPOSE OF REPORT

To adopt criteria for a District wide Local Heritage Assets Register.

This report is public

Recommendations

The Executive is recommended:

- (1) To approve the criteria for the selection of Local Heritage Assets

Executive Summary

Introduction

- 1.1 The Design and Conservation team have put together criteria, set out in a simple table (see annex) to assess local heritage assets (formerly known as the Local List) to create a register of local heritage assets; a requirement that is set out in the National Policy Planning Framework (NPPF (2012)) and in Cherwell District Council's Design and Conservation Strategy 2012-2015 (4.4.3 pg 22).
- 1.2 Local Heritage Assets are not limited to buildings, they can also include monuments, landscapes and other man made features. The identification of local heritage assets is an important management tool that can be used to ensure that the unique sense of place and identity is maintained in settlements throughout the District. The proposed criteria will be used by both the CDC Design and Conservation team and the general public to provide recommendations for Local Heritage Assets that should be recognised on the local register.
- 1.3 Assets that have been recognised as having local importance on the register will not have any additional statutory planning constraints or obligations. However the asset status will be regarded as a material consideration in any planning application.

Background Information

- 1.4 Cherwell District Council has a responsibility under the NPPF (Para 126 and 141) to recognise and justify local heritage assets that are not nationally designated. National designations include. Listed Buildings, Registered Parks & Gardens and Scheduled Ancient Monuments. It is important that this process is fully justifiable, and therefore we have established clear criteria that will structure the process. In the Cherwell Design and Conservation Strategy 2012-2015 it was recognised that the previous method of acknowledging our local heritage was through the Conservation Area reviews, which are undertaken approximately every 10 years. This process is 'slow and excluded assets not within conservation areas'. This approach also tended to focus on buildings, rather than the more diverse heritage assets that the NPPF recognises, such as walls, old pumps, troughs and open formal spaces (former park lands, etc.).
- 1.5 The Design and Conservation Team believe that the term 'Locally Listed' causes confusion amongst members of the public as they tend to believe that listed building consent is required as well as other restrictions were being implemented which they had no control over. The NPPF term 'non-designated heritage asset' creates further confusion in terminology. The term 'Local Heritage Asset' is more understandable by members of the public without creating concerns over 'listings'.
- 1.6 The assessment document provides guidance which complies with requirements of national policy set out in the National Planning Policy Framework (NPPF) which looks to protect the historic environment. Paragraph 126 (NPPF) requires that the local authority recognises the historic environment in the Local Plan, which the current draft does.
- 1.7 Similar to national designation, the Design and Conservation Team proposes that there should be two tiers of local heritage assets: - i) An individual asset that has local social or historic significance and ii) assets that form an important visual or focal point within the settlement or area. This approach has been recognised and structured within the proposed grading system.
- 1.8 Paragraph 135 (NPPF) requires that the Planners should ensure that 'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application', therefore local planning authorities are to have regard to these assets in determining an application that would affect its significance whether directly (to the structure) or indirectly (to its setting). In addition, paragraph 141 (NPPF) states that 'Local planning authorities should make information about the significance of the historic environment gathered as part of plan-making or development management publicly available'.
- 1.9 The current Cherwell Local List is inconsistent and incomplete. It has been compiled on an ad hoc basis by members of the Design and Conservation team or by local community groups. There were no criteria or guiding principles when the surveys were undertaken. At present, the only times when areas are reviewed are during the Conservation Area appraisals which are conducted approximately every 10 years. No justification has been given to many of these decisions, leaving it hard for the public to justify works that may or may not affect the character or significance of the asset. The assessments only included buildings, therefore non-buildings, such as walls, wells, historic landscapes were not noted or considered.

- 1.10 The new list of Local Heritage Assets will allow a lay person to be able to understand the process so they can recommend and justify assets that they feel are important to their community. The process will require verification by an independent member of Cherwell's Design and Conservation Team. This is an important part of the process and will ensure that the criteria are being applied appropriately and consistently across the District. The criteria are based on other local authorities' criteria's that have been tried and tested.

Implementation Options

- 1.11 Various options have been considered for the roll out and implementation of this project. The main consideration is to adopt a timetable to ensure that buildings that are important to the district are not lost while the register is being compiled. To enable a sensible time frame to be achieved, without creating additional resource issues for the Council, the Design and Conservation team plan to work in collaboration with local amenity groups, members of the public and other organisations to undertake the surveys.
- 1.12 By engaging the local public, the Design and Conservation team can ensure that:
- Locally heritage assets that are important to the community are recognised.
 - The NPPF is complied with.
 - It reinforces relationships and communication with local amenity societies.
 - Reduces dependence on in-house resources.
 - Provides a mechanism where large areas of the District can be quickly reviewed.
- 1.13 There are some risks involved with relying on the community and local groups and it is possible that some settlements will not have residents that are keen to be involved. An important part of the process is the independent review of the assessment form by a CDC Design and Conservation Officer.
- 1.14 The Design and Conservation Team plan to start to roll out the scheme with a brief presentation/ workshop held at Bodicote House to engage with local communities, branches of interest groups, local historical societies and Parish Councils. This will be extended to local professionals (IHBC/RICS/RIBA members) who will contribute to the process. It is important that we engage with these groups as their members have a good understanding of the built and social history of the area and/or social history, and a good knowledge of their local community. By using local advertising we can ensure that a wide range of people are targeted with the correct skills and local knowledge. This workshop will help ensure that the same ideas are applied across the District and utilise the skills and knowledge of the community.
- 1.15 An established Register of Local Heritage Assets can be added to and amended. The community and local groups are an important part of the process and good advertising and clear presentation for the public meeting will be required. In addition the Design and Conservation team will offer support and guidance to those undertaking the assessment process.

Roll Out Scheme – Long Term

- 1.16 Where settlements have been missed or it is clear have not been fully considered, it will be necessary to pick these up separately. This could either be undertaken by other volunteers or CDC Design and Conservation Officers. These settlements should be undertaken within 6 months of the initial presentation to ensure that no areas are missed. The key priority sites in Banbury and Bicester should be undertaken first, followed by other areas under development pressure.
- 1.17 Nine months after the presentation, all assessment forms should have been reviewed by the Design and Conservation team and any missing settlements should have been assessed or due to be assessed. (Timescale is important as we need to comply with the NPPF.)
- 1.18 The information on the assets will be made available through our website, on our GIS system and on the Cherwell Maps.
- 1.19 After the initial roll out, the register will be maintained as a 'live' document which will be reviewed and up dated on a regular basis, particularly as these assets do not have full statutory protection.

Conclusion

- 1.20 The National Planning Policy Framework (NPPF) requires local authorities to ensure that local heritage is protected. This is done by understanding local heritage assets and managing change to ensure that the significance is not harmed. The criteria for assessing Local Heritage Assets is therefore important to ensure that local heritage assets are appropriately managed and their significance is not harmed. The criteria from Cherwell District Council will help provide long term protection for the heritage of the District.

Key Issues for Consideration/Reasons for Decision and Options

- 2.1 To adopt the Local Heritage Assets Criteria.

The following options have been identified. The approach in the recommendation is believed to be the best way forward

- | | |
|-------------------|---|
| Option One | To accept document as criteria and process for the purposes of planning. |
| Option Two | To decline the document as criteria and process for the purposes of planning. |

Consultations

Consultation was undertaken in two stages.

1. The first stage was with the local amenity and historical societies.

These organisations could play an important part in the implementation of

the list of Local Heritage Assets and the long term management of the register. While some minor amendments were suggested, the consultation indicated that these bodies agreed in principle with the criteria. We have subsequently made some minor amendments to the scoring system in relation to the age of the asset.

2. Following this consultation, a second round of consultation was held with the Parish Councils.

It is important that the local communities feel that this process can be used by them to recommend what they feel is important to their settlement. A copy of the Criteria was issued to all Parish Councils to review and feed back on. 12 Parish Councils have provided responses. These were positive, with comments relating to the use of the term 'Thematic Consideration' and 'important group member in public scene' and some confusion over the viable scoring system per element. This has been reviewed and amended to suit. Positive feed back was also received in the offer to assist with the surveys following a workshop session.

3. Consultation also took place with Councillor Gibbard, lead Member for Planning and with Development Control staff.

Implications

Financial:	<p>The cost of preparing and consulting on this document is being met from existing resources.</p> <p>Comments checked by Karen Curtin, Head of Finance and Procurement, Karen.curtin@cherwellandsouthnortants.gov.uk</p>
Legal:	<p>The proposal ensures that an obligation from the National Planning Policy Framework is met.</p> <p>Comments checked by Nigel Bell, Team Leader – Planning & Litigation, nigel.bell@cherwell-dc.gov.uk</p>
Risk Management:	<p>Lack of heritage guidance undermines the reputation of the Council as a planning authority seeking high design and conservation standards.</p> <p>Comments checked by Claire Taylor, Corporate Performance Manager, Claire.taylor@cherwellandsouthnorthants.gov.uk</p>

Wards Affected

All

Corporate Plan Themes

Corporate Theme 6: Protect and enhance the local environment

Lead Member

Councillor Michael Gibbard
Lead Member for Planning

Document Information

Appendix No	Title
Annex A	Cherwell District Council, Local Heritage Asset Assessment Form - Built Environment (buildings)
Annex B	Cherwell District Council, Local Heritage Asset Assessment Form - Built Environment (non buildings)
Annex C	Cherwell District Council, Guidance on the use of the Local Heritage Asset Assessment Forms
Annex D	Cherwell District Council, Introduction to Register of Local Heritage Assets (public edition)
Background Papers	
None	
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**Annex A Cherwell District Council, Local Heritage Asset Assessment Form -
Built Environment (buildings)**

<p>Cherwell District Council Local Heritage Assets Assessment Form Built Environment (buildings)</p>			
Address of asset		Inspector	
		Date	
		Inspected	externally / internally
General description		Photos taken	
Supporting information:			
Conservation area status	designated	proposed	none
Adjacent to listed building(s)			
Connected to other heritage asset(s)			

Points							
Age	pre 1700	40		Rarity	unusual	<50	
	1700 - 1840	40			rare survival	<50	
	1840 - 1914	40			common	<20	
	1914 – 1960	40					
	1960 +	<40					
Condition	excellent				35		
	good				<25		
	average				<15		
	poor				5		
Design/ architectural merit	important				< 30		
	typical				< 20		
	plain				< 10		
Use of materials	vernacular or new innovation				< 15		
	use of local stone				< 10		
Street scene / landscape value	key building / landmark / individual				< 25		
	important group member in public realm				< 20		
	important for historical continuity / interesting structure / view of more than one elevation from public realm				< 15		
	limited view from public realm				< 10		
Visual access					< 5		

Viability	high	< 25	
	medium	< 15	
	low	< 5	
Historic association	strong	< 25	
	limited	< 10	
Community value	strong	< 25	
	medium	< 15	
	low	< 10	
Total Score			/ 235
Recommended for inclusion on Register – Group A	Yes / No (over 110)	Recommended for inclusion on Register – Group B	Yes / No (90 - 110)
Comments and justification of significance:			
Recommended by:		Date	
Seconded by:		Date	
Consulted	Yes / No	Date	
Rejected reason:			

**Annex B, Cherwell District Council, Local Heritage Asset Assessment Form -
Built Environment (non buildings)**

<p>Cherwell District Council Local Heritage Assets Assessment Form (non buildings)</p>			
Address of Asset		Inspector	
		Date	
		Inspected	
General description		Photos taken	
Supporting information:			
Conservation Area status	designated	proposed	none
Adjacent to listed building(s)			
Adjacent to other heritage asset(s)			

Points							
Age	pre 1700	40		Rarity	unusual	< 50	
	1700 - 1840	40			rare survival	< 50	
	1840 - 1914	40			common	< 20	
	1914 – 1960	40					
	1960 +	< 40					
Condition	excellent				35		
	good				< 25		
	average				<15		
	poor				5		
Type	park / gardens				< 50		
	transportation – tracks, roads, etc				< 50		
	industrial				< 50		
	estate related				< 50		
	other				< 50		
Street scene / landscape value	Key feature / landmark / individual				< 25		
	important group member in public realm				< 20		
	important for historical continuity / interesting structure / view of more than one elevation from public scene				<15		
	limited view from public realm				< 10		
Visual access					< 5		

Historic association	strong	< 25	
	limited	< 10	
Community value	strong	< 25	
	medium	< 15	
	low	< 10	
Total Score			/ 265
Recommended for inclusion on Register – Group A	Yes / No (over 140)	Recommended for inclusion on Register – Group B	Yes / No (120 - 139)
Comments and justification of significance:			
Recommended by:		Date	
Seconded by:		Date	
Consulted	Yes / No	Date	
Rejected reason:			

Annex C

Guidance on the use of the Local Heritage Asset Assessment Forms:

General assessment guidance:

- Where the symbol '<' is shown on the scoring it, indicates that these items can be scored on a variety of levels up to a maximum in the category.
- The assessment is on local significance NOT on national or international significance (which are covered by English Heritage's designation programme).
- Be honest when scoring. Each proposed entry to the register will be peer reviewed to ensure consistency across the district.

Age

- Give an approximate construction date, if this is known or can be established through review of documentary evidence or the assets details. Look for the oldest part of the asset.

Rarity

- *unusual* is something that is not common for the area. To score top marks the heritage asset should still retain much of its original fabric, appearance and form.
- *rare survival* is something that was common in the past, but has become rare over time. To score top marks the heritage asset should still retain much of its original fabric, appearance and form.
- *common* is something that is often found in the area, but still retains much of its original fabric, appearance and form of the structure.

Condition

- *excellent* - the asset still retains its original fabric and form, is structurally sound and water tight. It is considered to be in a very good state of repair and is well maintained.
- *good* - the asset retains much of its original fabric and is generally structurally sound and water tight. It is in a good state of repair and well maintained.
- *average* - the asset retains most of its original fabric. It is considered to be in a general good state of repair and is well maintained.
- *poor* - the asset has lost over 50% of its original fabric. It is either not structurally sound or watertight. Maintenance has not been kept up to date.

Design / architectural merit (buildings only)

- *important*- the building has been designed by a well-known architect; or is particularly unusual for the area; has an imaginative design; good details; built for a specific purpose; uses new or ground breaking material / construction method.
- *typical* - the design of building, building material and construction method is typical of the area.
- *plain* – the building is of limited architectural merit; basic details; not of great significance within the vicinity. Standard construction methods and materials.

Use of materials

- *Vernacular / new innovation* – extremely good use of vernacular building materials, in a style that is suitable for the asset. Material can include local stone, locally made bricks. The asset has been constructed of material that is unique or ground breaking at the time of use, such as cast iron, concrete, etc. This could also include new materials that were introduced to the area by the

canal and railway. To achieve full marks the asset should retain the majority of the material and the detail from its original construction (such as good lime pointing in stone work).

- *Use of local stone/ materials* – a good example of the use of local vernacular materials.

Type (non buildings only)

- *Parks/gardens* – designed parks and gardens associated with an estate, house, or public garden.
- *Transportation* – a route or hub that supports the movement of goods or people from one place to another (canal, track, road, etc.).
- *Industrial* – this could be a commercial industrial, agricultural, cottage industry or any other forms of production.
- *Estate related* – any form of asset that is in connection to a country estate such as a bridges, tracks, enclosures etc.
- *Other* – any asset that has not been covered by the above. A heritage asset could include anything that has had influence by man.

Street scene / landscape value

- The building or a group of buildings provides a positive contribution to the street scene, public realm or landscape space by giving continuity and enclosure to an area, (a row of terraces) or by providing a positive landmark.

Visual access

- This refers to how heritage asset is viewed from public spaces / streets / footpaths, etc.

Viability (buildings only)

- *high* – high potential for long term positive and sustainable use. Ability to be altered (if required) to ensure a long term use with limited intervention and no loss of significance.
- *medium* – potential for long / medium term positive and sustainable use. Ability to be converted with some intervention and minimal loss of significance. The alterations should be financially viable.
- *low* – no obvious short / medium term sustainable use. Major intervention is required for conversion which would cause loss or have a major impact on its significance. Worthy of retention where practically and financially possible.

Historic association

- *strong* - associated with an important element of social history / national historic event / identified with nationally famous people.
- *limited* - associated with an important element of local social history / local historic event / identified with locally famous people.

Community value

- The assessment of local heritage assets should consider the value that they have to local people and communities. Many assets may have cultural significance which is only understood by the people who live there. This could include bridges, tracks, war memorials etc.

Annex D

Introduction to Register of Local Heritage Assets

Preserving and enhancing the heritage and local distinctiveness of our District is an important element of the planning framework at Cherwell District Council. Properly managed, our heritage can support sustainable development, economic growth and tourism. It is important that the significance of our heritage assets is understood, to ensure that appropriate management mechanisms are in place to secure their long term contribution to the District. The National Planning Policy Framework (NPPF) confirms that heritage assets are an irreplaceable resource and their long term protection should be considered within the planning procedure. Under the NPPF there are 2 categories of heritage assets:

- Designated, such as listed building, scheduled monuments, battle grounds and conservation areas
- Heritage assets, which are deemed by the local authority to be significant to the local place and community. These were previously known as the Local List and are referred to in the NPPF as non-designated heritage assets.

The Register of Local Heritage Assets is intended to recognise buildings, landscapes and monuments of architectural and historical importance that contribute significantly to the unique character of the District. Whilst not statutorily listed, these features are of historic significance and/or of importance to the local community. It is important that there is a clear criteria for the designation of local heritage assets and this policy aims to set out the criteria and procedure for the recognition of Local Heritage Assets. The procedure will provide justification for the inclusion of an asset on the register and is important in providing a robust and defensible framework within the planning system.

All development proposals should aim to sustain and reinforce the special character of our District. By recognising and understanding the significance of our heritage assets, consideration can be given to preserve and enhance local character and the associated aspects of the historic environment.

To ensure that heritage assets make a positive contribution to wider economic, social and environmental regeneration it is important that they are not considered in isolation but are conserved and enhanced within their wider context and setting. A holistic approach to the built and natural environment, that maximises the opportunities to improve the overall image and quality of life for the residents is required. It is important that the historic context informs planning decisions and provides opportunities to link with other environmental infrastructure initiatives.

The Cherwell District has a diverse range of heritage assets that add to the character of the District, including:

- The network of former distinct small industrial and farm settlements; such as the Corset Factory and Co-op buildings in Banbury.
- Areas of Victorian and Edwardian higher density development which survive with a high degree of integrity including terraced housing and its associated amenities.
- Military bases and associated MoD related industries.
- Parks and open spaces.
- The canal network and its associated infrastructure.
- Buildings, structures and archaeological remains of the traditional manufacturing and extractive industries.

ALL heritage assets must meet all four of the following criteria:

- They must be capable of meeting the government's definition of a heritage asset - *ie building, monument, site, place, area or landscape.*
- They must possess heritage interest that can be conserved and enjoyed.- *what makes them an asset?*
- They must have heritage value that contributes to the character of the settlement, neighbourhood or community beyond personal or family connections, or the interest of individual property owners because of their heritage interests -*how you indentify its significance?*
- They must be more significant than the general identified character of the local area - *why is it of value?*

Grading Criteria

Two simple assessment forms have been developed to assess Local Heritage Assets for buildings and non building assets. The form is based on a point system supported by a clear mechanism for assessment of assets that are designed to provide a clear justification of the significance of each asset. The scoring system will allow two tiers of importance. Group A will include assets worthy of recognition as a heritage asset on the register. Group B will include assets that make a positive contribution to the local environment, particularly in a conservation area. The assessment will be reviewed by a member of the Design and Conservation team at Cherwell District Council to ensure that the decision is fair and correctly justified.

Impact of Register

Unlike Listed Buildings, buildings on the register of Local Heritage Assets do not enjoy statutory protection and are subject to normal planning controls under the Town and Country Planning (General Permitted Development) Order 1995 (amended in 2008). However, the NPPF emphasises the importance of understanding the significance of heritage assets and the impact that changes will have on them, before decisions are made about new proposals.

The inclusion the Local Heritage Asset register means that the Council will take into account the building's significance when considering planning applications. Applications that affect the character, setting or significance of a local heritage asset, will be carefully considered. In particular the Council will resist development which will:

- Involve demolition or part demolition of buildings or structures on the register.
- Involve inappropriate alteration or extension to buildings or structures on the register.
- Have a detrimental impact on the setting or context of buildings or structures on the register.
- Develop areas of parkland, gardens or open spaces that are specific to the area.
- Develop on areas of archaeological importance.

Where the change of use of an asset is proposed the applicant is required to demonstrate how the proposed scheme would contribute to its conservation whilst preserving or enhancing its architectural or historic interest.

Applications proposing demolition will be required to demonstrate that the viability of continued beneficial use, restoration or conversion has been fully investigated and that there are no reasonable alternatives. This must be undertaken by an independent, recognised professional person or company. In cases where demolition is unavoidable the Council will seek to ensure that an appropriate level of archaeological buildings recording is undertaken to demolition. Where the proposed

plan is to develop parkland, gardens, open spaces or items that are not deemed buildings, such as tracks, then the applicant must clearly demonstrate that the loss of the asset is justified. This includes having a suitable level of understanding of the asset and the impact that its loss would have on the historic environment. This would be presented in the form of a Heritage Statement and Heritage Impact Assessment.

Where unknown archaeological remains may be evident, though no archaeological investigation (such as digs) has been undertaken, a full desk top survey should be completed alongside consideration on the impact of the scheme.