

Report of the Director of City and Environmental Services

Local Heritage List for York

Purpose – This report seeks support from the Local Plan Working Group to undertake public consultation on the Local Heritage List for York SPD as part of the wider consultation exercise on the Local Plan and seeks a member steer on taking this forward following consultation.

Summary

1. This report sets out proposals to establish a Local Heritage List for York and for a programme of public consultation on the draft Supplementary Planning Document (SPD) to accompany the Local Heritage List. It is proposed to include the SPD within the public consultation exercise for the Local Plan evidence base.
2. The Local Heritage List will be comprised of non-designated heritage assets. Heritage Assets are defined in the National Planning Policy Framework (NPPF), March 2012, 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 may be designated or non-designated. Non-designated heritage assets can include those identified by the local planning authority through Local Heritage Listing.
3. The inclusion of a heritage asset on the Local Heritage List will **not** afford the same level of protection given to statutorily Listed Buildings (designated heritage assets). However, the impact of development on local heritage assets will be a material consideration in determining planning applications.

Background

4. A 'Local Heritage List' is a list of locally important heritage assets that contribute to the special character and local identity of an area and which are valued by the local community. The Council has been working with York Open Planning Forum since 2009, but the initiative dates member support back to at least 2006 when it was championed by the then Lord Mayor. We have also worked with English Heritage as a pilot in the production of revised national guidance.
5. The NPPF states that, "*Local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment...*" Emphasis is placed on sustaining and enhancing the significance of heritage assets.
6. English Heritage acknowledges that Local Heritage Lists play an important role in celebrating heritage that is valued by the local community. The Good Practice Guide for Local Heritage Listing, March 2012, provides a comprehensive guide to local heritage listing and draws on good practice from across England in developing Local Heritage Lists.
7. The aims and objectives of the Local Heritage List for York include recognising the contribution of locally important buildings, monuments, sites, places, areas and landscapes to York's special character and significance; identifying those local heritage assets whose significance merits consideration through the planning process; and encouraging owners and the wider community to take pride in the care and conservation of their local heritage assets for current and future generations.
8. York Open Planning Forum has already prepared a draft list of entries for the Local Heritage List for York following discussions with the Council in 2004. Nominations were invited at open forums and Ward Committee meetings and with the support of The Press in 2005. As a result of York Open Planning Forum's efforts, details of some 180 items are included in a draft List available to members of the public through the 'York Open Planning Forum; York's Developing Local List' website.
9. It is proposed to re- advertise the nomination process for the Local Heritage List for York to include the draft entries prepared by York

Open Planning Forum whilst encouraging new nominations from members of the public, local communities and interest groups.

Supplementary Planning Document

10. Within this context, a draft Supplementary Planning Document (SPD) has been prepared by officers (based on EH guidelines) working with York Open Planning Forum. The SPD proposes a number of Selection Criteria for local heritage assets to be included in the Local Heritage List for York. The Selection Criteria acknowledge the special character; significance and sense of place found in York and the surrounding villages and include: architectural significance; townscape and landscape significance; historical significance; artistic significance; archaeological significance; age and rarity and community significance.

Development management

11. The SPD includes advice / guidance on local heritage assets and the development process. A building or structure included in the Local Heritage List will not have the same level of protection as a Statutorily Listed Building of special architectural or historic interest. Local Heritage Listing will not require owners of local heritage assets to seek Listed Building Consent although planning permission will still be required where development proposals exceed permitted development rights. However, the conservation and contribution of a local heritage asset to the special character of York and the surrounding villages will be a material consideration in planning decisions.
12. With regard to demolition, where local heritage assets are located within Conservation Area boundaries, Conservation Area Consent is required for the demolition of most unlisted buildings and certain/specified gates, walls and fences. Where local heritage assets are situated outside Conservation Area boundaries, the demolition of buildings is normally permitted development, for which the approval of the Local Planning Authority is only required for the method of demolition and any proposed restoration of the site.

Public consultation

13. The first stage of the process will be to undertake public consultation on the draft SPD. Members of the public will be invited to comment on the principle of establishing a Local

Heritage List for York, the Selection Criteria, guidance, mechanism for implementing the Local Heritage List and the Terms of Reference of the Review Panel. It is proposed to include the SPD within the public consultation exercise for the Local Plan evidence base.

14. The results of the consultation exercise will be reported to the Local Plan Working Group alongside more detailed proposals for the nomination process and for the review of the draft entries according to the agreed selection criteria.

Consultation

15. The draft SPD has been the subject of consultation within the City and Environmental Services Directorate of the City of York Council including Officers in Development Management, Major Developments Projects and Initiatives, Design Conservation and Sustainable Development and Integrated Strategy.

Options / Next steps

16. The options for establishing the Local Heritage List for York include the following;
 - a. Agree Public consultation based on the draft SPD
 - b. Agree Public consultation based on an amended SPD
 - c. Agree No further action

Analysis of Options

17. Option 16 a - the preferred approach, following through on the work already undertaken and with community support. This approach is supported by the NPPF and has local support.

Option 16 b - as above but with appropriate amendments prior to consultation.

Option 16c - to note the work to date and take no further action in progressing a Local Heritage List for York.

Council Plan

18. The proposals will support the delivery of Council Plan Priority 3: Build Strong Communities through community engagement and Council Plan Priority 5: Protect the Environment by promoting a sense of community ownership of the environment and delivering excellence in conservation practice and heritage education.

Implications

Financial

19. Non directly – although staff resources and IT resources are relevant

Human Resources (HR)

20. None.

Equalities

21. There are no equalities implications arising from this report.

Legal

22. No implications, unless an article 4 direction is requested.

Crime and Disorder

23. There are no crime and disorder implications arising from this report.

Information Technology (IT)

24. Inclusion of Local Heritage List entries in York's Historic Environment Record database and making this publicly accessible will be key requirements. Additionally inclusion of Local Heritage List entries on Uniform (Development Management) data will be necessary

Property

25. There are no property implications from this report.

Other

26. There are no other implications from this report.

Risk Management

27. There are no known risks arising from the report.

Recommendations

28. That it be recommended to cabinet that the draft SPD be approved for public consultation as part of the wider Local Plan process.

Reason: to support the development of the Local Plan for York and engage local communities with their heritage.

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Report
Approved

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Wards affected:

All

For further information please contact the author of the report

Background Papers:

EH Guidance documents

Annexes:

Annex A - Local Heritage List for York Supplementary Planning Document, Consultation Draft, January 2013.