

Notice of Non-key Executive Decision

Subject Heading:	Agree criteria for the Local Heritage List, and commence a nominations period.
Decision Maker:	Helen Oakerbee, Director of Planning and Public Protection
Cabinet Member:	Councillor Graham Williamson, Development and Regeneration
SLT Lead:	Neil Stubbings
Report Author and contact details:	Cara Collier Cara.collier@havering.gov.uk 01708434083
Policy context:	NPPF 2021 Havering Local Plan 2016-2031
Financial summary:	There are limited financial costs associated with agreeing the criteria for the Local Heritage List, and commencing a 'nominations period'. Any costs will be met within existing budgets in the Planning Service.
Relevant OSC:	Places
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a non-key decision

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The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents (x)

Place - A great place to live, work and enjoy (x)

Resources - A well run Council that delivers for People and Place.
(x)

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval to adopt the criteria set out in Annex 1 for the Local Heritage List, and commence a ‘nominations period’.

What is a Local List?

Local heritage listing is intended to highlight heritage assets which are of local heritage interest in order to ensure that they are given due consideration when change is being proposed to the assets or the built environment in which they are located.

Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites (NPPF, para 189).

A Local Heritage List is a means for communities and local planning authorities to identify heritage assets that are valued as distinctive elements of the local historic environment. It provides clarity on the location of assets and what it is about them that is significant, helping to ensure that planning policy and individual decisions on planning applications properly takes account of the desirability of their conservation. Whilst local listing provides no additional planning controls, the fact that a building or site is on a local list means that its conservation as a heritage asset is a material consideration when determining the outcome of a planning application.

Local List Criteria

Entries on the Havering Local List should meet an agreed criteria. Currently the Council has no adopted criteria in place.

In line with Historic England’s Advice Note 7: *Local Heritage Listing*, consultation on draft criteria took place from 29th June 2023 to 10th August 2023.

The consultation included an online survey, social media coverage and two question and answer drop in sessions, where residents asked questions they had about the Local Heritage List and the consultation.

21 responses were received. This included representations from local residents, Romford Civic Society, Historic England and a number of other local groups. In general, the responses expressed support for preserving the historic fabric and character of the borough. Suggestions included a designed townscape criteria for Romford and greater protection for buildings built before the Second World War.

A full list of the comments and how they have been taken into account in the revised criteria is set out in Annex 2, the recommended final criteria are set out in Annex 1.

The key changes are that the ‘asset type’ criteria is now a requirement as an entry on the Local List and must be one of the listed asset types. An asset must also demonstrate significance under one other criteria. This will strengthen the assessment process and ensure a robust Local List.

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The criteria has also been updated to ensure they are specific to the Borough;

- Age; acknowledges the presence of 'medieval manors and farms, seventeenth and eighteenth century country house estates' as well as assets dating from before the arrival of the railways.
- Rarity; acknowledges that assets pre-dating the nineteenth century are less common owing to the arrival of the railways and the redevelopment of the country estates in the c. 1930s.
- Architectural and Artistic Interest; acknowledges that much of Havering was historically part of the County of Essex, thus architectural styles, details and materials reflect this.
- Group value; includes examples in the borough such as Victorian terraces, military complexes or historic farmsteads.
- Designed Landscape Quality; includes examples in the Borough such as remains of medieval moated sites set within parkland, gardens associated with country houses, and landscapes potentially associated with prominent landscape designers.

Although it was not the stated aim of the consultation, residents suggested six individual sites for inclusion in the Local List. Upon examination, some sites already had designated protections greater than being locally listed. Bower House is a Grade I listed building and Langtons stable block has Grade II listed status. Tithe Barn is a scheduled ancient monument, therefore considered of national importance. Clockhouse Gardens is not listed but is included on Historic England's Register of Parks and Gardens of Special Historic Interest in England. One resident engaged directly with the criteria, weighing a potential site against it.

Nominations period and next steps

All sites on Havering's current Local List will require individual assessments against the new criteria. This will ensure that the Local List is robust and evidenced. This review will take place during the nominations period described below.

In addition to reviewing the existing sites on the list, a nominations period is proposed. This will allow the local community to put forward additional sites for inclusion on the Local List. As with the sites on the current list, these sites will require individual assessments against the new criteria.

A citizen space survey will be available online for residents to submit their nominations.

The nominations period will commence on Thursday 21st September and will run for three months until Thursday 21st December 2023.

Following the nominations period and the assessment of all proposed sites against the criteria, the Local List will be adopted.

Recommendation

It is recommended that:

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1. The criteria set out in Annex 1 of this report is approved.
2. A nominations period allowing residents to propose sites for inclusion on the Local Heritage List shall commence on the 21st September for three months until the 21st December 2023.

AUTHORITY UNDER WHICH DECISION IS MADE

3.8.4 ASSISTANT DIRECTOR PLANNING

Planning

1. To deal with planning related matters in the following parts of the Constitution:
 - a) part 3 section 4: functions not to be the responsibility of the Executive;
 - b) part 3, section 5: local choice functions; and
 - c) part 3 section 6: proper officer functions,

STATEMENT OF THE REASONS FOR THE DECISION

The NPPF states that “Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.” (NPPF, para 192).

The current Local Heritage List is out of date (2014) and not based on agreed criteria. The public consultation held on the draft criteria was the first step in ensuring that the Council has a robust, evidenced and up-to-date Local List. This will help to protect local heritage assets and provide an evidence base for the update of the Local Plan.

The Council now needs to approve the finalised criteria and go out to a ‘nominations period’ where residents can propose sites for inclusion in the Local List.

OTHER OPTIONS CONSIDERED AND REJECTED

Do not consult – This option was rejected as the community needs to be involved in local heritage designations. This consultation will also accord with our Statement of Community Involvement (SCI) (2021).

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Do nothing – this option was rejected as the local heritage list needs to be updated to help protect local heritage assets and to provide up-to-date heritage evidence for the Local Plan review, as required in the NPPF.

PRE-DECISION CONSULTATION

Councillor Williamson, the Lead Member for Development and Regeneration was briefed on the proposals on 24th August 2023 (face to face meeting).

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Cara Collier

Designation: Planning Policy Officer

Signature: *C.E. Collier*

Date: 11.09.23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Local List is a non-statutory list of buildings compiled by the Council.

The National Planning Policy Framework states that “Local planning authorities should maintain or have access to a historic environment record. This should contain up-to-date evidence about the historic environment in their area and be used to:

- a) assess the significance of heritage assets and the contribution they make to their environment; and
- b) predict the likelihood that currently unidentified heritage assets, particularly sites of historic and archaeological interest, will be discovered in the future.”

The Government’s Planning Practice Guidance advises that plan making bodies such as local planning authorities should make up to date information on non-designated heritage assets accessible to the public. Local planning authorities are recommended to keep a local list of non-designated heritage assets to provide greater clarity and certainty for owners, developers and decision-makers.

FINANCIAL IMPLICATIONS AND RISKS

There are limited financial implications of the proposed decision. Consultation will be undertaken by the development planning team utilising online consultation methods at no cost. Limited costs could be incurred if we are required to print documents or provide documents in alternative forms to assist residents. These limited costs would be met within existing Planning Service Budgets.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There is no Human Resources implications of the proposed decision. Consultation will be undertaken by the development planning team, who have capacity to do so.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have ‘due regard’ to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

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Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An Equalities Assessment is not considered necessary as there are no equalities and social inclusion implications arising directly from the consultation of the criteria for the Local Heritage List.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no environmental or climate change impacts from this decision. The recommendations made in this report do not appear to conflict with the Council's policy on Environmental and Climate implications.

BACKGROUND PAPERS

None

APPENDICIES

Annex 1	<i>Havering Local Heritage List Criteria</i>	Open
Annex 2	<i>Local List Consultation responses</i>	Open

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed: 

Name: Helen Oakerbee

CMT Member title: Director of Planning and Public Protection

Date: 20th September 2023

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____