

Report of the Corporate Director, Regeneration and Community

Review of the City of Derby Local List of Buildings of Historic or Architectural Importance

SUMMARY

- 1 Derby's 'Local List' is acknowledged to be out of date. An up to date List is important for development control and related purposes, and will be a valuable environmental education resource. It is proposed that the List is comprehensively reviewed through a process involving local people and an advisory Local List Panel, made up of local experts and practitioners. The Panel's purpose is to advise the Cabinet Member about the suitability of buildings for inclusion in the revised List.

RECOMMENDATION

- 2 To carry out a comprehensive review of the City of Derby Local List of Buildings of Historic or Architectural Importance, as set out in paragraphs 4.7 to 4.9 of this report.

REASONS FOR RECOMMENDATION

- 3.1 To assist the implementation of Policies E19 and E20 of the City of Derby Local Plan to:
 - protect from all forms of harmful alteration or loss controllable under Town and Country Planning legislation buildings of architectural or historic importance which form a vital part of the City's heritage but which do not enjoy protection through statutory listing or inclusion within a Conservation Area
 - protect from harmful alteration or loss such buildings within the ownership or control of the City Council.
- 3.2 To facilitate the direct involvement of local people in the identification and subsequent protection of buildings and structures of demonstrable importance as part of Derby's built heritage.

For more information contact:	Harry Hopkinson Tel 01332 255061 e-mail harry.hopkinson@derby.gov.uk
Background papers:	City of Derby Local Plan Review Adopted January 2006 – DCC Planning Policy Guidance 15: Planning and the historic environment – HMSO City of Derby Local List – DCC
List of appendices:	Appendix 1 – Implications

SUPPORTING INFORMATION

- 4.1 Buildings become 'Listed' on a statutory basis through the intervention of English Heritage and a decision of the Secretary of State. 'Local Lists' are different, as they are determined locally. A Local List identifies buildings and other structures that are considered to have some local importance, either from an architectural or an historic viewpoint. It includes buildings that are of merit in their own right, those that are of group value in the street scene, and any other feature that is considered worthy of conservation because it makes a positive contribution to the local environment. Lists may contain examples of different architectural styles from many periods, including those of recent origin.
- 4.2 The basis for Local Lists is to be found within the 'Identifying and Recording the Historic Environment' section of the Government's Planning Policy Guidance Note 15. In Paragraph 6.16 it is indicated that 'many buildings which are valued for their contribution to the local scene, or for local historical associations, will not merit (statutory) listing. Such buildings will often be protected by conservation area designation. It is also open to planning authorities to draw up lists of locally important buildings, and to formulate local plan policies for their protection, through normal development control procedures'.
- 4.3 Derby has had suitable policies in successive local plans, and has a well-established Local List. At present, it is made up of 229 buildings and 63 pieces of street furniture - 292 entries in all. The Local List is available in full on the Council's web site, via the Planning Services home page.
- 4.4 Policy E19 in the adopted City of Derby Local Plan Review covers Listed Buildings and Buildings of Local Importance. The text accompanying the policy makes the point that "there are ... many unlisted buildings of architectural or historic importance in Derby which form a vital part of the City's heritage and which the City Council will seek to protect from harmful alterations or loss. Although the highest level of protection will be for buildings which are statutorily listed, an appropriate level of protection will also be given to other buildings which, because of their age or special qualities, form part of the City's heritage. Many of these buildings have been identified on the City Council's 'Local List' of local architectural or historical buildings'.
- 4.5 From the wording of Policy E19, buildings of merit do not need to be on the Local List to receive protection. It is clear from the Plan's text that the policy is to be interpreted so that an appropriate level of protection will be given to all non-listed buildings that, because of their age or special qualities, are considered to form part of the City's heritage. The policy framework makes it clear that many, but not all, of the buildings to which protection policies are applied have been identified on the Statutory List or the City Council's Local List. The Local List is now out of date and in other ways unsatisfactory as a guidance tool for development control. The Local List needs to be updated to do its' job properly, in particular to provide an alert system to quickly and efficiently advise the development control process about which buildings or features are agreed to be suitable for protection.

- 4.6 Review of the Local List is supported in principle by Conservation Area Advisory Committee, and the exercise will be of great interest to local people. If carried out as proposed, it will give people the best possible opportunity to 'bid' to have features of their neighbourhood identified as heritage assets. There is always the danger that expectations could be raised too high and disappointment result, but a transparent, robust and consistently applied scheme for considering bids for listing should help convince people that the approach is objective, fair and appropriate.
- 4.7 It is proposed that a start is made on the review early in 2007 and that the process features the following components.
- Definition of criteria for Local Listing adapted from the principles for the selection of statutory listed buildings set out in Planning Policy Guidance 15: Planning and the historic environment. Consultation with English Heritage about the suitability of the defined criteria for the Local List.
 - A major role for Conservation Area Advisory Committee. The Committee will have a great deal of expertise to offer within an exercise of this nature.
 - Suitable publicity and consultation. Involving local people and other interested parties is an integral part of this exercise. Extensive consultation and publicity will be needed to give the List suitable status for Town Planning purposes.
 - A review of the existing Local List as part of the exercise.
 - A Local List Panel, made up of local experts and practitioners, to help advise the Cabinet Member about the suitability of buildings for inclusion in the List.
- 4.8 The Local List Panel is a key feature of this proposal. The proposed composition is:
- Cabinet Member for Housing Management
 - Two representatives from Conservation Area Advisory Committee
 - Local Architect with acknowledged specialist expertise in this field, who is independent of Conservation Area Advisory Committee
 - Representative from the Museums Service
 - Team Leader – Built Environment plus a second conservation specialist from the Council's Built Environment Team (the Team will have responsibility for organising all Panel business).
- The Panel's task is to consider and advise on all of the cases put forward for the inclusion of buildings and other features in the List. Cases will need to be submitted on a standardised form and be based clearly on the published criteria. The Panel will carefully consider all cases in terms of the criteria and make recommendations to the City Council about every case presented. People will be told about progress with the cases they have put forward, and there will be the opportunity to 'appeal' in certain circumstances for the reconsideration of submissions. At the same time, Council officers will work with the Panel to review the existing List.
- 4.9 Because it is difficult to estimate how many submissions will be made, it is difficult to say how long the task will take. It is envisaged, though, that much of the work will be completed in 2007. When the Panel's work and the review of the List is complete, a report will be made to Cabinet / Council as appropriate.

IMPLICATIONS

Financial

1. The costs of printing documents plus advertising and other publicity and consultation-related costs will be met from within the established budget of the Environmental Sustainability Unit

Legal

2. The basis for Local Lists is to be found in the Government's Planning Policy Guidance Note 15: Planning and the historic environment. Application to Derby stems from Policies E19 and E20 of the City of Derby Local Plan Review, adopted in January 2006.

Personnel

3. Built Environment Team's work programme can be reconfigured and developed to accommodate the Local List review using existing staff resources.

Equalities impact

- 4 The review will give an excellent opportunity to consider the inclusion in the Local List of Derby buildings and features that spring from a variety of cultural backgrounds.

Corporate objectives and priorities for change

5. The proposal predominantly comes under the Council's Objective of **a healthy environment** and the emerging priority of **caring for the environment**.