

DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
HEAD OF PLANNING	EXECUTIVE COMMITTEE	5 MARCH 2024	9
LOCAL LIST OF HERITAGE ASSETS - WARTON & OTHER RURAL AREAS			

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

RELEVANT LEAD MEMBER

This item is within the remit of Lead Member for Corporate and Economic Development, Councillor Karen Buckley.

PURPOSE OF THE REPORT

The Council's Built Heritage Strategy was formally approved in November 2015. It contains a complete review of the nature and scope of the built heritage assets of the Borough, the appropriate legislative framework and an action plan that lists a series of projects that are to be undertaken during the life of the Strategy. An important priority was considered to be the compilation of a local list of buildings.

The compilation of a local list was authorised by the former Development Management Committee and since then a series of reports have been received to consider adding properties to the list on an area-by-area basis.

This report present the final geographical areas for consideration, with the properties proposed to be added to the local list set out in appendix 1.

RECOVERABILITY

This decision is recoverable under section 7 of part 3 of the constitution.

RECOMMENDATION

1. That the buildings and structures set out within the attached schedule (appendix 1) be added to the local list of heritage assets.

REPORT

Introduction and Background

1. The issue of local heritage protection has been considered at length by previous Planning Committee meetings. However, for the Councillors with no previous involvement, the following background is offered, which sets the context for locally listed buildings and the broader issue of Heritage Protection.
2. The Councils Built Heritage Strategy (2015 – 2032) was adopted in November 2015 following an extensive programme of research and consultation. It involved the setting up of a task and finish group of members, which helped guide its progress. The Strategy has had the full endorsement of Historic England (HE). Local Listing is viewed by HE as an important aspect of heritage protection and the National Planning Policy

Framework encourages planning authorities to recognise and designate locally important heritage assets to help facilitate their conservation and protection.

3. The Strategy is based around four themes, which seek to promote, protect and conserve the rich built heritage of the Borough. Attached and integral to the Strategy is the extensive Action Plan that seeks to deliver specific projects that will be undertaken during the lifetime of the Strategy. Theme 1: Conserving the Built Heritage, specifies a number of projects which includes the compilation of a 'Local List of Buildings', and a review of Conservation Areas including the scope for boundary reviews, new designations and the preparation of appraisals and management plans. The latter are required by statute and are an important part of the development management process.
4. Following the adoption of the Strategy, Committee authorised officers to commence a programme of local listing. To assist the process it was further agreed that three councillors would be appointed to form a small Project Board (Committee resolution dating from 20th January 2016). This was aimed at overseeing the process and act as a sounding body for the relevant officers, as the project proceeded. This was seen as particularly important as there is no prescribed process for the undertaking of local listing, apart from some advisory material from Historic England. The specific methodology emerged as the project proceeded.
5. The Local Plan, as now adopted, has full weight in the planning decision making process – and contains a range of policies in respect of heritage protection and enhancement (Policy ENV 5). Local listing of heritage assets is a key part of this policy.

Methodology - Selection Process

6. As outlined in the foregoing section, there is no prescribed method of compiling local lists of buildings. However, Historic England (HE) have produced some guidance and in-house research revealed that a number of local authorities have produced their own lists. Having regard to the material available, the methodology being used takes into account the advice and practice available elsewhere. However, the approach being applied in Fylde is somewhat bespoke, influenced by local circumstances, as the project has emerged. The approach being undertaken, has been discussed with advisors from Historic England who are fully in support the method being used. Indeed, HE are recommending to other Council's that they look closely at the Fylde approach when contemplating local listing as a model and the Heritage Strategy was shortlisted in the RTP1's Awards for Planning Excellence.
 - In compiling a methodology four significant questions arose, which can be summarised as follows:
 - How buildings can be identified?
 - What is the threshold for their inclusion i.e. what measure of quality is appropriate?
 - What is the method for final selection?
 - What are the implications of local listing?
7. To answer these questions a 'Protocol' was prepared and this document was approved in March 2017 and has been made available on the [councils website](#).

Methodology - Expert Panel

8. The ultimate decision as to whether a building becomes locally listed formerly rested with the Planning Committee but now rests with the Council's Executive Committee. To ensure that the buildings recommended for local listing are suitable, the buildings are placed before a Panel comprised of individuals who are considered to have the appropriate knowledge and skills. Each panel is drawn from a pool consisting of local architects with conservation interests, local historians and officers from the planning team and so the individual make up of each panel will vary. However, the same protocol is followed to ensure a consistent approach.
9. The buildings recommended for 'local listing' have been supported by the Panel. It should not be assumed that all buildings that are placed before the panel are automatically approved. The panel is provided with a 'data sheet' containing background information about the building or structure in question and a decision as to whether the property should be recommended for local listing is reached having regard to an assessment against the criteria set out in the approved protocol. Considerable debate often ensues at the Panel meetings with some rejected or deferred for further information.

Notification to building owners and other interested parties

10. Following consideration by the Panel, the owners of the buildings affected are notified. This is undertaken by letter (see template at appendix 2) and includes an explanation of the local listing process, a question-and-answer sheet which identifies commonly asked questions, a data sheet explaining the significance of the building and links to the Council's web site, where further information about the process is available. It is further explained that the process has an in-built appeals process, that can be used in cases where Council officers cannot resolve any initial concerns of owners. A copy of the Frequently Asked Questions sent to the owners is attached as appendix 3.
11. Experience to date, shows that the vast majority of owners either favour local listing or do not object to it, when the circumstances are explained (with the outgoing informative letter). Many owners value the recognition of the historic recognition of a building. In cases where there is objection, this can be in view of the often-misunderstood circumstances relating to additional planning controls or, very rarely, that the local listing will encourage interest and as a result may impinge on privacy.

Implications of Local Listing and Article 4 Directions

12. At the meetings of March and September 2017, Committee authorised officers to consider the necessity of introducing Article 4 Directions to particular buildings, to bring under control potentially harmful 'permitted development'. It should be noted however, that many of the commercial buildings that have been locally listed, or those with a mixed use, do not benefit from the same extent of permitted development as, for example, dwelling houses. As a consequence, it will be appropriate to consider the potential effects of permitted development on a case-by-case basis. In line with previous decisions, it is suggested that this issue be considered as a follow up matter, whereby the implications of permitted development can be fully considered.

Progress to Date

13. The resolution of Committee was one of initially completing a review of the Lytham and St Annes area given the funding support offered by the Civic Society in the first instance. This enabled the system to be 'tried' such that it could be rolled out across the remaining parts of the Borough, with the parish councils being asked to nominate potential candidate buildings. The project subsequently extended into the remaining areas of the Borough and this report addresses properties in the final geographical areas of the borough. Unfortunately, it was necessary to pause the local listing process during the Covid Pandemic but work on surveying potential properties recommenced in 2022 utilising the methodology and processes that has been applied to the other towns and parishes. This report concludes the initial survey phase, but individual properties may still be considered for addition to the local list in future if further information about their local significance is identified.

Consultation with owners

14. Following notification of the owners of the latest batch of buildings proposed to be added to the local list, enquiries were received from four owners. Questions/issues raised included:
 - Why do councils create local lists.
 - Why weren't building owners notified before consideration by the panel.
 - The addition of a property to a local list would restrict future alterations and improvements.
 - Confusion that the intention was to nominate buildings for inclusion on the national list.
 - Can I appeal if my property is added to the local list?
 - Local listing would potentially draw unwanted attention to a property.

A response was provided to all questions raised by the property owners who contacted the council. No formal appeals were received at this stage.

Conclusion

15. The lists of assets is contained in the attached Schedule and totals 73 in number. The assets are varied, including commercial buildings, dwellings, communal buildings and street furniture.

16. Once approved by Committee, the status is confirmed and owners and interested parties notified of the final decision. It can be assumed that where buildings are contained within the list, they are placed on it either on the basis that the particular owner supports (or does not object) to the proposed listing or in a few cases, where initial representations and potential objections have been resolved. Inclusion on the Local List ensures that, as an identified Non-Designated Heritage Asset, relevant policies in the Local Plan and in the National Planning Policy Framework can be applied for their protection. The compilation of a local list is also a useful mechanism to inform property owners of the heritage value of their building and to allow them to make an informed decision when planning any alterations that may affect its character.

CORPORATE PRIORITIES	
Economy – To create a vibrant and healthy economy	
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	
Tourism – To create a great place to live and visit	✓

IMPLICATIONS	
Finance	None
Legal	None
Community Safety	None
Human Rights and Equalities	None
Sustainability and Environmental Impact	The identification of local heritage assets will allow the impact on the historic environment to be considered when considering proposals through the development management process.
Health & Safety and Risk Management	None

SUMMARY OF PREVIOUS DECISIONS
<p>On 26 March 2014, in line with the recommendation of the Policy Development Scrutiny Committee of 6 March 2014, Cabinet resolved to:</p> <ol style="list-style-type: none"> 1. Approve the consultation exercise as undertaken in respect of the [Heritage] Strategy and responses thereto be noted and the incorporation of these into the final Strategy. 2. Recommend to Cabinet that the Strategy as presented be approved and thereafter be adopted as official Council Policy. 3. Recommend to the Cabinet that the Task and Finish group to remain in operation, for a period of no more than 12 months, to oversee the initial implementation of the Strategy, Action Plan and Work Plan and the setting up of the Heritage Forum. <p>A series of task and finish groups were held culminating in the adoption of the Built Heritage Strategy for Fylde 2015 – 2032 in November 2015.</p> <p>On 20 January 2016, the Development Management Committee was invited to appoint members to a working group, to be known as the Project Board in the delivery of the local listing of heritage assets.</p> <p>Following consideration of this matter the Committee resolved: to appoint Cllr Richard Redcliffe, Cllr Maxine Chew and Cllr Peter Collins to the Local Listings Project Board.</p>

In **March 2017, Planning Committee** resolved to approve the methodology and Protocol relating to the implementation of the project, the concept of protecting and recognising Groups of High Townscape Value, the scope for conservation area review and further potential designations and the locally listing of the first 'batch' of 10 buildings.

In **September 2017 Planning Committee** resolved to approve the Groups of High Townscape Value in Ansdell, the scope for conservation area review and further potential designations and the locally listing of the second batch of locally listed buildings.

In **January 2018 Planning Committee** approved the addition of properties across Lytham St Annes.

On **3 July 2019, Planning Committee** approved the addition of properties in Kirkham, Wesham, Singleton and Freckleton.

On **8 March 2023, Planning Committee** resolved to disband the Local Listings Project Board and acknowledged that the members of the Board appointed by the committee had contributed to achieving a key objective of the council's Built Heritage Strategy set out within the original Terms of Reference.

BACKGROUND PAPERS REVELANT TO THIS ITEM

Name of document	Date	Where available for inspection
Built Heritage Strategy for Fylde 2015-2032	2015	Council Website

LEAD AUTHOR	CONTACT DETAILS	DATE
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Attached documents

Appendix 1 - Schedule of buildings proposed for local listing.

Appendix 2 - FAQ sent to owners of candidate properties.

Appendix 3 – Owner notification letter template