

TITLE	Policy for Revisions/Additions to the List of Buildings of Traditional Local Character
FOR CONSIDERATION BY	The Executive on 30 March 2017
WARD	None Specific
DIRECTOR	Josie Wragg, Interim Director of Environment
LEAD MEMBER	Mark Ashwell, Executive Member for Planning and Regeneration

OUTCOME / BENEFITS TO THE COMMUNITY

Identifying and protecting local distinctiveness of the Borough's built heritage

RECOMMENDATION

The Executive is asked to agree that:

- 1) the procedure detailed in Appendix 2 and 3 is adopted for determining a Building of Traditional Local Character;
- 2) the Interim Director of Environment together with the Executive Member for Planning and Regeneration are delegated to designate and de-designate Buildings of Traditional Local Character in line with the adopted procedure;
- 3) the Interim Director of Environment together with the Executive Member for Planning and Regeneration are delegated to make changes to the procedure for determining a Building of Traditional Local Character in line with national and local policy and guidance.

SUMMARY OF REPORT

Managing Development Delivery Local Plan Policy TB26 seeks to protect the quality of Buildings of Traditional Local Character (BTLC) which are buildings that do not quite meet the requirements for designation as a nationally listed building but are of exceptional local heritage value. Whilst this policy and the list of 46 buildings have been brought forward from the previous plan, there is currently no formal procedure for reviewing or adding to it although the Council has received a number of requests from the community to do this.

This paper proposes a procedure that allows the Council to review the existing list and designate new buildings of Traditional Local Character. Generally, it is not felt that this will result in significant additional listings as to meet the criteria set out, the asset will need to be of exceptional local value and the procedure sets out a number of requirements that need to be met before any designation submission will be considered.

Appendix 2 and 3 of this report sets out the procedure for nomination. This will require a change to Section 8 of the Council's Constitution to allow the Planning Committee to consider any objection to a designation decision. This constitutional change will be considered by Full Council if the Executive agrees to the recommendation above.

BACKGROUND

Buildings of Traditional Local Character as Heritage Assets

Listing a building or structure as a Building of Traditional local Character should apply to only those buildings of considerable local heritage value that do not *quite* meet the requirements for national listing. The Council recognises the importance of designating buildings for inclusion on the list through Policy TB26 - *Buildings of Traditional Local Character and Areas of Special Character (Appendix 1)* of the Adopted Managing Development Delivery Local Plan. Whilst this policy and the list of 46 buildings have been brought forward from the previous plan, there is currently no formal procedure for reviewing or adding to this when requests from the community have been received.

ANALYSIS OF ISSUES

Implications of Inclusion on 'The List' as a BTLC

Adding a building to the list of BTLC's can be a legitimate response to a threat to a heritage asset, including the threat of demolition. However, it does not result in itself result in any additional planning controls but it is a material consideration in assessing any planning application for demolition, alteration or extension of an asset.

Procedure for Adding or Updating a Building on 'The List'

The procedure for adding or updating a building on 'The List' is detailed in Appendix 2. The selection criteria for designation accords with the advice set out by Historic England. While any person or body can nominate a building to be added to 'The List', most of the requests received by the Council to date have been from Town and Parish Councils.

It is not expected that there will be a significant number of additional local assets listed as to meet the criteria set out, the asset will need to be of *exceptional* local value. Also, the person or body nominating the building must submit a full justification against the designation criteria which if insufficient, will be automatically rejected. Only one nomination per asset can be considered in any five year period.

It is expected that dealing with requests for designation can be met within existing staff resources given that a nomination will only be assessed if accompanied by a full justification. Nominations will be considered in the following priority order:-

High Priority	Assets at significant risk of demolition or removal	Urgent attention
Medium Priority	Assets subject to a planning application for alteration, extension or redevelopment	Attention within the timescale of the planning application
Low Priority	All nominations that do not relate to the above	As staff resources allow

Decisions to nominate a building for inclusion on 'The List' will be delegated to the Interim Director of Environment together with the Executive Member for Planning and Regeneration which is similar to the procedure in place to nominate buildings as 'Assets of Community Value'. Appendix 3 sets out the procedure to challenge any decision made in respect of a nomination which would be through the Planning Committee. There is no external right of appeal against a designation decision but as explained above, the designation itself does not afford the asset additional protection but it is a material consideration in respect of any planning application against which there is a right of appeal to the Planning Inspectorate.

FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	Met within existing resource	Yes	Revenue
Next Financial Year (Year 2)	Met within existing resource	Yes	Revenue
Following Financial Year (Year 3)	Met within existing resource	Yes	Revenue

Other financial information relevant to the Recommendation/Decision

N/A

Cross-Council Implications

None

List of Background Papers

Historic England – Good Practice Guide for Local Heritage Listing

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Wokingham Borough Council – Buildings of Traditional Local Character Policy

The Council policy and supporting text covering locally important buildings within the adopted MDD (Local Plan) is set out below:

Policy TB26: Buildings of Traditional Local Character and Areas of Special Character

- 1. Areas of Special Character are shown on the Policies Map.**
- 2. Planning permission will only be granted for proposals to or affecting Buildings of Traditional Local Character and Areas of Special Character where they demonstrate that they retain and enhance the traditional, historical, local and special character of the building or area and its setting.**
- 3. Proposals that involve the demolition of a Building of Traditional Local Character will require strong justification.**

3.126 There are areas or groups of buildings where there is a consistent period or character reflecting the areas past but where a Conservation Area designation may not be justified. These are known as Areas of Special Character.

3.127 There are also some buildings which, whilst not meeting the standards for statutory listing, are nonetheless of considerable local importance to the Borough's built heritage. These are Buildings of Traditional Local Character, where the preference is to retain the original use.

3.128 Where development affecting either an Area of Special Character or a Building of Traditional Local Character is proposed, this should protect the architectural integrity of the building and its setting or the special character of the area. Special regard should be given to the historical context, outbuildings, scale, form, massing and materials together with retaining key architectural features or detailing which contribute to the character of the building or the area.

Criteria and Procedure for Considering a Nomination for Listing as a Building of Traditional Local Character

Criteria

The criteria against which nominations should be considered are summarised in the table below. These are broad in their nature, demonstrating that the local significance of a building can result from a wide set of values.

Criterion	Description
Age	The age of a building may be an important criterion and the age range can be adjusted to take into account distinctive local characteristics
Rarity	Appropriate for all buildings, as judged against local characteristics
Aesthetic value	The intrinsic design value of a building relating to local styles, materials or any other distinctive local characteristics
Group value	Groupings of buildings with a clear visual, design or historic relationship
Evidential value	The significance of a local building of any kind may be enhanced by a significant contemporary or historic written record
Historic association	The significance of a local building of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures
Archaeological interest	This may be an appropriate reason to designate a locally significant building on the grounds of archaeological interest if the evidence base is sufficiently compelling and if a distinct area can be identified
Designed landscapes	Relating to the interest attached to locally important designed landscapes, parks and gardens
Landmark status	A building with strong communal or historical associations, or because it has especially striking aesthetic value, may be singled out as a landmark within the local scene
Social and communal value	Relating to places perceived as a source of local identity, distinctiveness, social interaction and coherence; often residing in intangible aspects of heritage contributing to the “collective memory” of a place

The same principles applied to assessing nationally designated buildings can be adapted and used in a local context for assessing locally important buildings. Further guidance on assessing the significance of a building can therefore be found in the 20 Selection Guides for nationally designated buildings (i.e. Listed Buildings), published by Historic England: <https://historicengland.org.uk/listing/selection-criteria/listing-selection/>

Each nomination should demonstrate the buildings’ suitability to be added to ‘The List’ through an assessment against the above criteria, using the relevant guidance as appropriate. The local importance of the building should be expressed within a Statement of Significance accompanying the nomination.

Procedure for Adding or Updating a Building on ‘The List’

1. A Building of Traditional Local Character can be nominated to be added to ‘The List’ by the Council by any person or body.

2. No more than one listing request per asset will be considered by the Council within any 5 year period.
3. Any person or body may request an appeal against the inclusion of any existing building that appears on 'The List' or against a nomination. The procedure for this is set out in Appendix 3.
4. Nominations should include the following as a minimum and any submission that does not include this will be rejected:
 - a. A full Statement of Significance – identifying the significance of the building in the local context, using the above criteria and guides as appropriate;
 - b. Location Details - Ordnance Survey grid reference(s), full street address and a suitably scaled map showing the extent of the building being nominated;
 - c. Photographs – visual recording of the building from the public realm, concentrating on significant elements.
5. The Director of Environment together with the Executive Member for Planning and Regeneration has delegated responsibility:
 - a. to designate and de-designate Buildings of Traditional Local Character;
 - b. to determine whether a building is added to 'The List' following a period of public consultation. This consultation shall include publishing the nominated building and supporting information on the Council website.
6. When considering whether to add a building to 'The List', the Council will inform and consult with the owner of the building. The Ward Member(s) and Town/Parish Council will also be consulted.
7. In deciding whether a nominated building should be included on 'The List', the Council will assess the building against the criteria set out in the published Criteria and Procedure for Considering a Nomination for Listing as a Building of Traditional Local Character
8. A decision should be made following consultation but within 12 weeks of receiving a nomination. This period can be extended if more time to consider the nomination is required by the Council or if this is listed for review by the Planning Committee. Decisions relating to Buildings of Traditional Local Character shall be formally recorded within the Council's Record of Decisions.
9. Once a decision is made on whether to include a building on 'The List', the Council will inform the owner in writing. In doing so the Council will set out the implications of the inclusion and the right to request a review against the inclusion on 'The List' .
10. The current list, together with supporting information, is published on the Council website and will also be available on the publically accessible Local Historic Environment Record, currently managed by Berkshire Archaeology and available

at: <http://www.readingmuseum.org.uk/get-involved/berks-archaeology/berkshire-archaeology/>.

11. Buildings on 'The List' shall be identified on the external-facing version of the Council GIS. They shall also be identified within the planning constraint layer of the internal-facing Council GIS.

Implications of adding a building to 'The List'

The List of BTLC's is primarily a means of positively identifying buildings as locally significant. It does not place additional requirements for obtaining planning permission and has no impact on permitted development. The inclusion of a building on 'The List' indicates that it is of local significance and is a material planning consideration in the assessment of any application for development that will have an impact on the local asset.

Procedure for Appeals

1. Requests for an appeal against the original decision of the Council in respect of a request to designate an asset as a Building of Traditional Local Character can be made by any person or body.
2. The request for the review must be made to the Council in writing by any person. This must be received within eight weeks beginning with the day on which written confirmation of the decision was issued to the relevant parties listed above. The Council is able to allow longer periods for submitting a review.
3. In considering the request for a review an original decision about whether to include an asset on 'The List', the Council will take into account the following factors:-
 - a. The eligibility of the building against the Criteria and Procedure for Considering a Nomination for Listing as a Building of Traditional Local Character (as set out in The Procedure for Adding or Updating a Building on 'The List')
 - b. Any new factors that have come to light since the original decision was made. For example, removal of a building from 'The List' may be appropriate in circumstances where it no longer meets the criteria for selection, has been demolished, or has undergone development changes that have negatively impacted on its significance.
 - c. Any matter put forward that the Council cannot consider in assessing whether the asset should be designated (i.e. Matters not included in the Criteria and Procedure for Considering a Nomination for Listing as a Building of Traditional Local Character)
4. The Council will not take any financial or commercial issues into account in the decision to include a building on 'The List'.
5. All valid review requests that meet the requirement set out in this procedure will be assessed by the Planning Committee which will have the final decision on whether the asset will be included on "The List".
6. The Council will maintain a list of unsuccessful nominations, including the reasons why nominations were not approved.