

TEWKESBURY BOROUGH COUNCIL

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| Report to: | Executive Committee |
| Date of Meeting: | 17 November 2021 |
| Subject: | Local Heritage List Selection Criteria for Tewkesbury Borough Supplementary Planning Document (SPD) |
| Report of: | Planning Policy Manager |
| Corporate Lead: | Head of Development Services |
| Lead Member: | Lead Member for Built Environment |
| Number of Appendices: | One |

Executive Summary:

This report recommends approval of a draft supplementary planning document (SPD) for Local Heritage List Selection Criteria for Tewkesbury Borough. A Local Heritage List consists of a list of undesignated heritage assets, which have special local architectural, archaeological or historic interest and contribute to the character of a place. A Local Heritage List provides information on the location of these assets and what it is about them that is significant. The Local Heritage List Selection Criteria SPD provides the basis for deciding which nominated heritage assets identified are adopted onto the Local Heritage List. The purpose of this Local Heritage List Selection Criteria SPD is to identify and utilise a robust and standardised procedure for nominating assets onto a Local Heritage List. The publication of the SPD runs in tandem with the creation of a Local Heritage List for Tewkesbury Borough.

Recommendation:

- 1. To APPROVE the draft Supplementary Planning Document (SPD) for consultation: Local Heritage List Selection Criteria for Tewkesbury Borough.**
- 2. To delegate authority to the Head of Development Services, to make any necessary minor amendments to the draft document as considered appropriate prior to consultation.**

Reasons for Recommendation:

To consult on the draft SPD in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Resource Implications:

Resource implication on officer time to conduct the consultation, review responses and make amendments as appropriate.

Legal Implications:

The preparation of an SPD is not a statutory requirement, but a decision for each local planning authority based upon demands for further information to assist in the delivery of sustainable development and to provide further guidance on policies within the Development Plan. An SPD cannot in itself establish planning policy; it must be consistent with national and local planning policies. Before a local planning authority can adopt an SPD, it must carry out formal public consultation, followed by the provision of a Consultation Statement setting out who was consulted in the preparation of the SPD; a summary of the issues raised; and how those issues have been addressed. This must then be consulted on along with the amended SPD. The SPD can then be put forward for adoption. Once adopted the SPD would be a material consideration in the determination of planning applications.

The recommendations conform with the requirements of the NPPF and its supporting advice, and are modelled on guidance prepared by Historic England.

Risk Management Implications:

There is no statutory requirement to prepare SPDs. However, it is considered important that Tewkesbury Borough Council has appropriate planning guidance for Local Heritage List Selection Criteria. This coincides with the MHCLG funding to develop a Local Heritage List as supported by Historic England. The scheme has enabled the recruitment of an officer to set up and test the procedures for the development and maintenance of Local Heritage List Selection Criteria and produce a Local Heritage List. It is therefore important to maximise the additional resources available to develop a Local Heritage List and an SPD to support this.

Performance Management Follow-up:

Subject to the adoption of the SPD, the effectiveness of the SPD and the policies and guidance contained within will be monitored by the Heritage Engagement Officer and in turn the Conservation Specialist.

Environmental Implications:

The SPD contains further detail and advice in relation to the adopted JCS and emerging Tewkesbury Borough Plan policies on design and quality of the environment. The specific objective of the SPD is to provide a standardised and robust procedure for the local listing of unlisted heritage assets of local importance for Tewkesbury Borough.

1.0 INTRODUCTION/BACKGROUND

1.1 A Local Heritage List consists of a list of undesignated heritage assets, which have special local architectural, archaeological or historic interest and contribute to the character of a place. A Local Heritage List provides information on the location of these assets and what it is about them that is significant. In 2019, the Ministry of Housing Communities and Local Government (MHCLG) announced it would support the development of local heritage lists across the country. This national campaign has provided £1.5million to 22 counties to develop Local Heritage Lists. In Gloucestershire, Gloucester City Council and Tewkesbury Borough Council have been selected as part of this campaign to involve local communities in listing non-designated buildings, green spaces, and other non-designated heritage assets as part of the planning process.

1.2 The Local Heritage List Selection Criteria SPD provides the basis for deciding which nominated heritage assets identified are adopted onto the Local Heritage List. The

purpose of this Local Heritage List Selection Criteria SPD is to identify and utilise a robust and standardised procedure for nominating assets onto a Local Heritage List. The SPD therefore includes guidance on identifying the historic, archaeological, or architectural value of a non-designated heritage asset. It also outlines nomination categories and the general principles of selection such as:

- Aesthetic merits.
- Age and rarity.
- Designed Landscape Merit.

1.3 Once adopted, the SPD will ensure the consideration of important non-designated heritage assets as material considerations in planning processes. The NPPF provides:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.”

1.4 The creation of a Local Heritage List Section Criteria SPD is considered best practice by Historic England and the Department for Levelling Up, Housing and Communities for local planning authorities. Tewkesbury Borough Council’s Draft Heritage Strategy identifies the production of a Local Heritage List within its Action Plan. Policy HER5 of the emerging Tewkesbury Borough Plan which concerns Locally Important Heritage Assets also stipulates the importance of a Local Heritage List. The selection criteria SPD highlights the relevant statutory and local policies pertaining to the creation of a Local Heritage List.

1.5 The publication of the SPD runs in tandem with the creation of a Local Heritage List for Tewkesbury Borough. Thus, the Local Heritage List Selection Criteria SPD enables Tewkesbury Borough Council to test the nomination process and provides evidence for the robustness of the selection process.

2.0 NEXT STEPS

2.1 Further to Member approval, the draft SPD will be published for a 6-7-week consultation period over winter 2021/2022. Following the consultation, responses will be collated, and any appropriate amendments made to the SPD. As required by Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, a Consultation Statement will be produced setting out who was consulted, the main issues raised and how those issues have been responded to. This will then be consulted on, along with the final SPD. The SPD will then be put forward to the Council for adoption.

3.0 RELEVANT COUNCIL POLICIES/STRATEGIES

3.1 Joint Core Strategy Policy SD8 - Historic Environment.

Draft Tewkesbury Borough Plan (2011-2031) Policy HER5 - Locally Important Heritage Assets.

Tewkesbury Borough Council Draft Heritage Strategy August 2021.

4.0 RELEVANT GOVERNMENT POLICIES

4.1 National Planning Policy Framework.

5.0 RESOURCE IMPLICATIONS (Human/Property)

5.1 Resource implication on officer time to conduct the consultation, review responses and make amendments as appropriate.

6.0 SUSTAINABILITY IMPLICATIONS (Social/Community Safety/Cultural/ Economic/ Environment)

6.1 The preparation of the Local Heritage List Selection Criteria for Tewkesbury Borough SPD provides a rare opportunity to develop a standardised method of assessing non-designated heritage assets of local importance. In turn, the selection criteria will provide Officers, historic societies, and members of the public the means to register non-designated heritage assets of local importance. This will increase awareness of locally important heritage assets in the built environment with regards to planning and development. It is also an opportunity for local people and institutions to celebrate what makes Tewkesbury Borough special and locally distinctive.

6.2 A SEA is unlikely to be required where a supplementary planning document deals only with a small area at a local level (see [regulation 5\(6\) of the Environmental Assessment of Plans and Programmes Regulations 2004](#)), unless it is considered that there are likely to be significant environmental effects.

6.3 Tewkesbury Borough Council has undertaken an SEA screening process and concluded that the Local Heritage List Selection Criteria SPD does not require a Strategic Environmental Assessment or an 'Appropriate Assessment' under the Habitat Regulations.

6.4 However, it will be necessary to obtain advice from consultation bodies (Historic England, Natural England, and the Environment Agency) and local bodies (Lead Local Flood Authority, County Highways, County Ecologist, County Archaeology) before a definitive conclusion can be made. This guidance will be addressed during the consultation on the SPD.

7.0 IMPACT UPON (Value for Money/Equalities/E-Government/Human Rights/Health and Safety)

7.1 None.

8.0 RELATED DECISIONS AND ANY OTHER RELEVANT FACTS

8.1 None.

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Appendices: 1 – Local Heritage List Selection Criteria SPD.