



Report to Cabinet

Date:	5 th January 2023
Title:	Adoption of Local Heritage List (Phase 1)
Cabinet Member(s):	Cllr Peter Strachan; Cllr Gareth Williams
Contact officer:	Eliza Alqassar and Ed Barlow
Ward(s) affected:	All
Recommendations:	AGREE to adopt the Local Heritage List (Phase 1)
Reason for decision:	To adopt the first county-wide Local Heritage List to provide clarity on Non-designated Heritage Assets and to assist the development process.

1. Executive summary

- 1.1 This report provides a summary of Buckinghamshire's new Local Heritage List and sets it in its national and regional context. The report describes the methodology and criteria behind the list's creation and lists those sites that are ready for adoption in Phase 1.
- 1.2 Whilst the Local Heritage List will never be fully comprehensive, and sites will continue to be discovered and added to the list over time, the aim is to achieve formal adoption of Phase 1 sites in December 2022, and Phase 2 sites in 2023. The report sets out a proposed mechanism for accepting future amendments to the Local Heritage List.

2. Content of report

National and local policy context

- 2.1 In March 2021 the Ministry of Housing, Communities and Local Government (MHCLG; now the Department for Levelling up, Housing and Communities – DLUHC) made funds available to 22 Local Authorities as part of a national initiative to improve the provision and standard of locally held Lists of Non-Designated Heritage

Assets (NDHAs). Buckinghamshire Council was successful in our application for a grant of £70k and was one of those authorities selected.

2.2 Statutory listing and designation is assessed nationally by Historic England and requires assets to achieve a very high threshold to meet the national criteria. Examples of statutory listings are Grade I, II* and II buildings, scheduled monuments and Registered Parks and Gardens.

2.3 Buckinghamshire has a rich heritage and large number of heritage assets that have the benefit of statutory protection and designation. The National Planning Policy Framework (2021, paragraph 67) defines a heritage asset as: *“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)”*. A heritage asset can be designated or non-designated. Buckinghamshire has the following designated heritage assets:

- Conservation Areas - [202](#)
- Listed Buildings - [5871](#)
- Registered Parks and Gardens - [41](#)
- Scheduled Monuments - [146](#)

2.4 Local Heritage Listing should include a wide range of locally important, non-designated heritage assets, which contribute positively to the local character and identity of Buckinghamshire, and which are valued by local people, but which may have little or no protection from demolition, damage or decay.

2.5 Non-designated heritage assets can be identified in a number of ways; through the planning process or through local listing. Importantly, they are not identified by Historic England, but by the Local Planning Authority.

2.6 There is **no statutory requirement for public consultation** when identifying or recognizing a building or site as a Non-designated Heritage Asset. We do not consult publicly every time a site is identified as a Non-designated heritage asset through the planning process. However, it is important to show how the decisions were reached and what criteria they were based on. Historic England Advice Note 7 (2021, para 17) states that the legitimacy and weight of local heritage lists within the planning system is increased when the list has been prepared in accordance with defined selection criteria. For this reason, we decided to make the process entirely transparent using an online [Local Heritage List platform](#).

2.7 It is important to note that the identification of a Non-designated heritage asset does not alter existing Permitted Development Rights, nor mean that listed building consent will be required for works to the property. However, it does enable change

to be managed through the planning process and, where relevant, to ensure that significance is protected. Local listing as a non-designated heritage asset will be a material consideration in the determination of planning applications affecting the fabric, character or setting of the asset.

2.8 Local Listing will provide improved clarity for owners and all interested parties, as significance will be identified as part of the assessment process and once adopted the list will be published on the Council's website and the Historic Environment Record.

2.9 Assets will then be afforded consideration in the planning process under the NPPF paragraph 197 and will help to inform future local policies and creation of Neighborhood Plans.

The creation of Buckinghamshire's Local Heritage List

2.10 The Buckinghamshire Local Heritage List includes historic buildings (houses, chapels, agricultural and industrial buildings), archaeological sites (upstanding earthwork remains and buried sites), formal gardens, public open spaces, public works of art, monuments and street furniture.

2.11 The aims of Buckinghamshire's Local Heritage List project were: 1) To create a **single unified local list** for the new Unitary Council; 2) To respond to and assess the local heritage assets and **places nominated by the people of Buckinghamshire**; 3) To address the **geographical imbalance** of locally-important assets identified in our audit (very few assets in the east area of the county); and 4) To draw attention to the **importance of Rothschild and estate buildings** to local identity and character across the county.

2.12 On establishment of the aims, the project team developed their assessment criteria for Local Listing. Selection of Local Listing should be supported by evidence in line with Historic England's detailed assessment criteria as laid out in the [Historic England Advice Note 7 – Local Heritage Listing: Identifying and Conserving Local Heritage](#). The criteria set out by Historic England are listed below. We have set these out with more detail and some Buckinghamshire examples on our web platform here: <https://local-heritage-list.org.uk/buckinghamshire/assessment-criteria>:

- **Age** – Broadly speaking, the older the heritage asset is the rarer it is likely to be.
- **Rarity** – Heritage assets can be rare on a national, regional or local scale. Rare surviving examples of their type should be added to the list.
- **Architectural and Artistic interest** – This includes the style or design and aesthetic appearance of the heritage asset. It also includes quality and condition of the property.

- **Group value** – Where heritage assets have a clear visual, design or historic association with one another; for example a group of Rothschild estate buildings, or a pair of Iron Age hillforts constructed within sight of one another.
- **Archaeological interest** – Assets which provide evidence of past human activity; for example the earthwork remains of a Tudor garden, which can reveal evidence of garden design and what was grown.
- **Historic interest** – Assets which demonstrate significant historical association of local or national note, such as factory buildings relating to the chair-making industry in High Wycombe, bunkers associated with the Cold War, or a statue of a notable local figure.
- **Landmark status** – An asset with strong visual prominence, aesthetic appearance, communal value or historic associations; for example a focal point such as a clock tower, or an important gathering place or site of worship, such as a mosque or church.

2.13 We also established that nominated assets will have to fulfill at least one of the following criteria: 1) Assets which are visually illustrative of their period(s) or which have aesthetic value or which are innovative in their construction or design; 2) Assets which provide good insight into past human activity; 3) Assets which have historic associations, for example with notable figures (including architects, designers or people who were influential in local or nation life) or events, or which are demonstrative of social history; and 4) Assets which are valued by the community, relate well to local character or which include regional materials or construction methods.

2.14 The criteria have been agreed with the Cabinet Members for Planning and Regeneration, Cllr Gareth Williams, in September 2021, and, after a change of portfolio holders, Cllr Peter Strachan in July 2022. Our criteria and assessment methodology are set out in **Appendix 1**, along with the Review Panel Protocol.

2.15 The Review Panel is made up of the project team (staff from the Heritage and Archaeology Team and the Historic and Built Environment Manager) as well as external representatives from Buckinghamshire Archaeological Society, Buckinghamshire Historic Gardens Trust and Buckinghamshire Historic Buildings Trust.

2.16 We have a Review Panel Protocol that sets out the decision-making process underpinning the Local Heritage List Project. The assessment and review process is crucial to ensure candidate sites meet the agreed criteria and reflect [Historic England Advice Note 7](#). The Review Panel ensure that the assessment process has been

consistently applied and offers high level overview, drawing upon the expertise of relevant professional representation on the panel. The Panel meets monthly.

2.17 Each nominated candidate site has a High, Medium or Low rating against each of the criteria points. These scores are then extrapolated into an overall High, Medium or Low rating, for discussion at Panel. For each candidate site, the Review Panel makes one of the following recommendations:

- Recommended to Cabinet for Local Listing – meets the criteria.
- Recommended to Cabinet for rejection – does not meet the criteria.
- Recommend to Cabinet for removal – no longer meets the criteria.
- Further information required – put back to ‘Candidate Work in Progress’ for further enriching.

2.18 An initial audit of lists of Non-designated heritage assets compiled by some of the former District Councils, including Buildings of Note identified in Conservation Area appraisals, gave the project team a head start in summer 2021, with hundreds of buildings requiring assessment and review.

2.19 In September 2021 we launched our [Local Heritage List online platform](#), which has allowed members of the public to nominate sites online and to search and enhance records of those already nominated. The launch was coordinated with the Comms team and press coverage about the Local List, and we have held six promotional events throughout the year in different geographical areas, along with regular social media coverage to raise awareness of the project.

2.20 The ultimate outcome of the project is to achieve an adopted List of Local Heritage. The project timeline for this is set out in **Appendix 2**.

The success of the Local Heritage List

2.21 Since we launched the Local Heritage List project we have:

- Developed and launched our online Local Heritage List platform: <https://local-heritage-list.org.uk/buckinghamshire>
- Received **2653 nominations** for the Local Heritage List - these vary considerably and include telephone boxes, milestones, parkland, public art, archaeological sites and buildings of all ages, including numerous dwellings, historic warehouses and chapels.
- **168 volunteers** signed up to the online platform, including a core group of 18 volunteers actively helping to assess sites and enrich our online records
- Appointed a Local Heritage List Project Officer and Assistant Heritage Officer to work on the project, and established a regular Review Panel
- Run a series of online and in-person [talks and events](#)

- Worked with the Comms team to maintain a presence on social media
- Run working parties with volunteers, including Cultural Heritage Students from the Royal Agricultural University, the Young Archaeologist’s Club, numerous Parish Councils and Neighbourhood Plan groups
- Engaged with over 40 groups and organisations, including 17 Parish Councils and other stakeholders, such as Transport for London, Canals and Rivers Trust, and Chilterns Conservation Board.

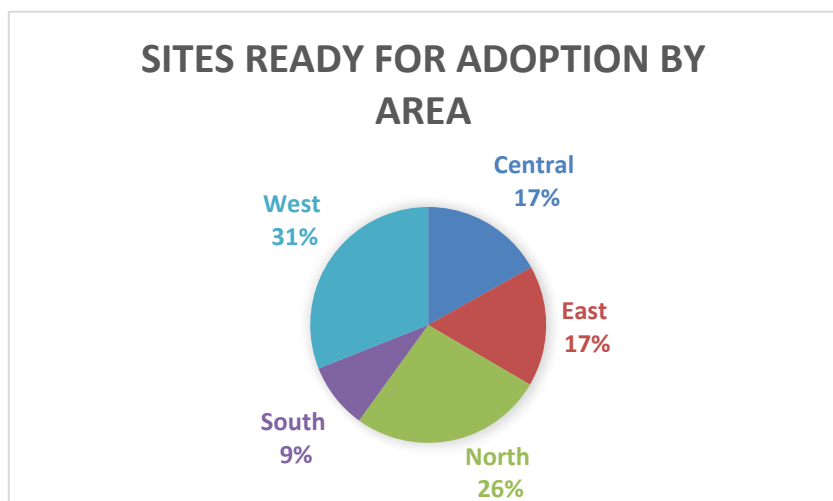
The table below sets out the numbers of nominations we have received and assessed to date.

Total nominations	2653
Total researched and assessed to date	1693
Assessed nominations for adoption in Phase 1:	956
Rejected	169
Insufficient information	16
* Buildings	546
*Parks and Gardens	77
*Landmarks, art, etc	62
*Other inc. archaeology	86
Candidates ready for Phase 1 adoption	771
Already assessed for Phase 2 – ready for review panel	737

2.22 In summary, **we have researched and assessed 1,693 sites in total to date**, which is well over half of all nominations and an incredible achievement for a small team. **We are bringing forward 771 sites for adoption on our Phase 1 list** and we have already assessed 737 sites for Phase 2 in 2023 and these are ready to go to Review Panel.

2.23 The sites ready for adoption are most easily viewed on our Local Heritage List platform by [searching the list](#) using the ‘Filter by Status’ box and selecting ‘Candidate (ready)’. This will bring up a list of all sites ready to be adopted in Phase 1.

2.24 We have endeavoured to assess an even spread of sites across the County and this is represented in the chart below. The former Wycombe area already had a Local List so the numbers are slightly higher for that area, but in general we have aimed to cover the whole County.



Adoption of Phase 2 list and future amendments

2.25 Once the initial Local List (Phase 1) has been formally adopted by Cabinet, we intend to bring the Phase 2 list forward for adoption in 2023. Beyond that, future amendments to the list (additions or removals) could potentially be approved by the Cabinet Member on a periodic basis.

3. Other options considered

3.1 Regarding the adoption of the Phase 1 Local List, the alternative option is to not adopt as there is no legal requirement to provide a Local List. However, it is best practice to adopt one and Local Lists are being advocated by government (DLUHC) and Historic England.

3.2 Not adopting the list will continue the status quo, which is not satisfactory as heritage assets are currently being lost to neglect, damage or decay where they have not been formally identified as a Non-designated heritage asset. The Local List would be a useful tool for the planning teams and would raise awareness of any heritage issues early on in the process, rather than during it.

4. Legal and financial implications

4.1 We need to expect that some owners might challenge having their property added to such a list. Currently the list is publicly accessible, and anyone can comment and make representation. The adopted list will also be publicly available online and we will write to all owners to inform them of the adoption. Should an owner choose to challenge the identification of their property as a non-designated heritage asset, they will be able to

contact the heritage team and we will reconsider the assessment of their property. In such cases, we would expect that new information or evidence would be provided to demonstrate why the property should not be a non-designated heritage asset. Re-assessment will not necessarily change the outcome.

4.2 It should be noted that inclusion on the local list does not affect an owner's permitted development rights nor mean listed building consent is required for works to the property. Change to non-designated heritage assets will be managed through the planning process in the event that a planning application is submitted, and formal appeals can take place through the planning process.

4.3 The benefit to owners is that when they do apply for planning permission, their agents will be able to identify that there is recognised heritage value early on in the process and consider this in their proposals. As such it will save owners money revising proposals and avoid the 'nasty shock' and possible additional costs (to revise proposals) that currently occur when we identify heritage value during the course of an application.

4.3 There are no financial implications to the Council if the Local List is adopted. The List can be maintained by staff in the Heritage and Archaeology team, although retention of the online platform will have a minor cost (c.£5k per annum, which can be covered in the service budget).

5. Corporate implications

- a) Property – some nominated sites or buildings may be Buckinghamshire Council property, for example specific buildings or public parks. Each case is assessed on its own merit and ownership should not be a factor in determining non-designated heritage assets status. However, a list of Council-owned sites has been provided in **Appendix 4**, which also includes potentially sensitive sites.
- b) HR – N/A
- c) Climate change – This report is directly related to Buckinghamshire Council's key priority of improving our environment.
- d) Sustainability – Retention and repair of historic buildings is often more sustainable than newbuild development. Therefore, the identification and recording of non-designated heritage assets on a Local List will give them some protection in the planning process and help to avoid situations whereby historic buildings are demolished to make way for new ones.
- e) Equality - The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
 - i. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
 - ii. Advance equality of opportunity between people from different groups

iii. Foster good relations between people from different groups
Officers have paid due regard to the aims of the Equality Act 2010 throughout the consideration and preparation of the Local List. This review has indicated no adverse impact on any of the specified groups with a protected characteristic. Officers will continue to keep this matter under review to ensure no inequalities or adverse impacts arise.

- f) Data – data generated as part of the Local List project will be subject to GDPR, and Data Protection Assessments have been carried out. We have a [Privacy Policy](#) on our Local Heritage List platform.
- g) Value for money – The value of this project is in the enhancement of Buckinghamshire’s historic environment through the development process. We have received a grant to deliver the Local List and future amendments are likely to be managed within the Council’s budget.

6. Local Councillors & Community Boards’ consultation & views

6.1 The development of the Local Heritage List has been discussed with the Cabinet Member for Planning and Regeneration, as well as the Cabinet Member for Climate Change and Environment.

6.2 Member briefings on the Local Heritage List were held for all elected Members on 12th and 15th December 2022. These were attended by 58 participants and were well-received. There was in general a lot of support for the project with Members keen to engage with the project going forward. Questions raised included; whether certain villages or properties had been included in the list; the level of protection local listing would afford properties that are at risk of neglect or inappropriate development; how long it takes to add sites to the list; whether we will be advising owners that their property is locally listed (yes); whether trees are included (no); and whether there is any detailed guidance on medieval ridge and furrow. These questions were addressed by the project team at the briefings. No contentious issues or concerns were raised about the project.

6.3 Extensive engagement has taken place with over 40 partner organisations and external stakeholders, listed in **Appendix 5**.

7. Communication, engagement & further consultation

7.1 Engagement with local groups and societies is ongoing. The team continue to attend events to promote the project and a further communications push will take place around the adoption of the list.



8. Next steps and review

8.1 On adoption, the Phase 1 Local List will be available on our website. Those sites that have been adopted will be classified as 'Locally Listed' on our Local Heritage List Portal. We have already engaged with the Communications Team regarding positive news stories to go out once the list has been adopted. We anticipate that this will generate renewed interest in the project for Phase 2.

9. Background papers

- 9.1 Appendix 1 – Buckinghamshire Council Local Listing criteria
- 9.2 Appendix 2 – Project Timeline
- 9.3 Appendix 3 – List of sites ready for adoption in Phase 1
- 9.4 Appendix 4 – List of BC-owned and potentially sensitive sites on the Phase 1 list
- 9.5 Appendix 5 – List of organisations engaged in the project

10. Your questions and views (for key decisions)

If you have any questions about the matters contained in this report please get in touch with the author of this report. If you have any views that you would like the cabinet member to consider please inform the democratic services team at democracy@buckinghamshire.gov.uk.

