

Local List/Non Designated Heritage Assets



Report to: Cabinet

Date: 15 February 2024

Portfolio Holder: Councillor Michael Hardware, Portfolio Holder for Economic Development

Lead Officer: Pauline Elliott, Interim Head of Planning and Building Control (01279) 446595

Contributing Officer: David Watts, Senior Forward Planning Officer (01279) 446577

Key Decision: Yes

Forward Plan: Forward Plan Number I016270

Call In: This item is subject to call in procedures

Corporate Priority: Restore pride in Harlow

Wards Affected: All Wards

Recommended that:

A Cabinet adopts the updated Local List.

Reason for decision

A To allow the updated Local List to become a material consideration and, therefore, ensure greater protection for the assets on it.

Other Options

A Not adopting the updated Local List – this is not appropriate as the Council has a statutory duty to review heritage issues, and the current Local List is due to be updated.

Background

1. The Harlow Local List – technically known as Harlow’s Schedule of Locally Listed Buildings – is a register of buildings that significantly contribute to Harlow’s historic environment through notable character or distinctiveness, but do not meet the criteria for a statutory ‘national’ listing by Historic England.
2. In accordance with the Government’s Planning Practice Guidance and Historic England’s Advice Note 7 (Local Heritage Listing), a Local List can include buildings, monuments, sites, places, areas or landscapes which have a degree of heritage significance and provide locally distinctive character. The assets on a Local List are known as non-designated heritage assets.
3. The purpose of a Local List is to:
 - a) Raise awareness of local non-designated heritage assets and their importance;
 - b) Inform developers, owners and council officers and councillors about non-designated heritage assets in Harlow that are desirable to retain and protect;
 - c) Aid the council in its decision making when discussing proposals and determining planning applications;
 - d) Accurately record the nature of the local historic environment.
4. The Local List is advisory and does not provide the council with any additional statutory controls. However, the Local List is a material planning consideration, which means the heritage importance of a locally listed asset must be considered when determining a planning application relating to the asset.
5. In accordance with the Harlow Local Development Plan and national planning policies and guidance, there is a presumption against the demolition of any locally listed assets.

Issues/Proposals

Assessment of Nominated Historic Assets

6. In Spring 2023 the council ran the Harlow Heritage Nominations period, where people were invited to nominate historically important assets across Harlow for possible inclusion on the Local List. The council received 99 nominations from 21 people.
7. It is important to note that the Local List Update process is impartial and independent from the Development Management process. As such, the scoring/shortlisting of assets was not affected by any planning applications relating to the asset(s) which were not yet determined when the subsequent Shortlist was produced.

8. The council ran various checks on the nominated assets, including ensuring assets had not already been nationally listed by Historic England, and ensuring there were no recent planning approvals which would result in the demolition or significant alteration of an asset. Background research was carried out on the nominations, including validating information supplied by nominees and seeking extra information where needed. Site visits and photos were also undertaken by the council.
9. The assets were scored using a bespoke scoring matrix which, in accordance with national guidance, used five interest categories: architectural interest, aesthetic interest, archaeological interest, historical, cultural and social interest and landmark interest. Not all the categories were relevant for all the assets.
10. 60 nominated assets scored highly enough to be shortlisted. Three-quarters of the shortlisted assets were sculptures. The Shortlist is attached to this report at Appendix 3, along with full details of the scoring in the Background and Process and Nominations Scoring documents (Appendices 1 and 2). The updated Local List for adoption is at Appendix 4.
11. The council invited comments on the Shortlist and scoring from a specially-selected panel, which consisted of specific Harlow Councillors, a Harlow Civic Society representative and a Harlow and Gilston Garden Town representative. The Harlow Art Trust was not invited to be on the panel on this occasion as they submitted a significant number of the assets.
12. The majority of suggestions received from the panel in response were accepted, resulting in four assets receiving uplifted scores which meant they became shortlisted. Mark Hall Park was also nominated and shortlisted as a result of the suggestions. More information, including a schedule of the comments and officer responses, can be found in the Background and Process document, attached to this report at Appendix 1.

Shortlist Consultation

13. The council ran a public consultation to seek views on the shortlist, for four weeks, between Thursday 23 November and Friday 22 December 2023.
14. One of the aims of the consultation was to give people an opportunity to identify concerns with any of the shortlisted assets and, if necessary, provide justification as to why such assets should not be included on the updated Local List. This opportunity included council departments who may highlight issues that could arise should certain assets be locally listed.
15. The shortlist was published on the council's website and was available to view at relevant public places. The consultation was advertised in the usual ways, including notifying people on the council's Forward Planning database and people who nominated assets.

16. Owners of shortlisted assets, owners of land the assets are located on and/or occupiers of that land were contacted separately to notify them that assets relevant to them were shortlisted.
17. After the consultation, the council considered comments received and these assisted in finalising the updated Local List for adoption. Comments received, along with council responses to them, can be viewed in the Background and Process document, attached to this report at Appendix 1.
18. When preparing the final revised Local List for adoption, the council has taken into consideration wider regeneration schemes, and whether locally listing certain assets could prevent the comprehensive regeneration and wider public realm improvement of particular areas. In these cases, the need to exclude an asset from being locally listed – despite scoring sufficiently highly when nominated – may be outweighed by the wider benefits and importance of the proposed regeneration, and the adverse impacts that may result should wider regeneration improvements be inhibited in any way.
19. This is the case for Adams House, Market House and the Arriva bus depot, which are areas that will be the subject of significant regeneration (see the Town Centre North Development Brief and the Wych Elm Development Brief). The council's Regeneration team also expressed concern regarding the local listing of these assets due to the potential impact of bringing forward comprehensive redevelopment and regeneration in the town centre.
20. As such, these three assets will not be included on the revised Local List when it is adopted. Given the Town Centre Framework SPD identifies the historic interest of Adams House and Market House, the Town Centre North Development Brief ensures that the historic features of these buildings will be preserved as much as possible. The East Gate Block in the town centre, which was shortlisted, will be included on the updated Local List.
21. After the consultation on the shortlist began, the council considered adding to the Local List the former house of John Graham, who was Sir Frederick Gibberd's architectural partner. The house, known as 'Suncourt', was designed by John Graham and is an example of a 1960s 'colt house'.
22. It was scored in the same way as the nominated assets and would have scored highly enough to be shortlisted. Given the shortlist consultation had already started, and in accordance with the council's ability to add assets as and when necessary, the council deemed it appropriate to add the house to the updated Local List.
23. The current owner, the Harlow Art Trust, was notified by the council about this and no concerns were received in response. The scoring details for the house are viewable in the Background and Process document, attached to this report at Appendix 1. The scoring is not included in the main scoring document as it was scored after the shortlist was prepared.
24. It is not considered that any of the assets on the existing Local List (adopted 2013) need to be removed, so they will be included on the updated Local List.

25. However, it was identified that there was a typographical error in the 2013 version of the List which reads “75, 77 and 70 High Street, Old Harlow”. This should have read “75, 77 and 79 High Street, Old Harlow”. This has been corrected in the updated version of the List and the owners/occupiers of these properties were notified.

Future Updates

26. While the council is not currently seeking further asset nominations at this time, nominations can still be submitted through the council’s website, but will not likely be assessed until the next Local List update takes place.

27. The council intends to update the Local List, using the same process as was used for the 2023 update, every two to three years. However, if the council receives a large number of nominations in the intervening period, or if the council deems it necessary to include an asset on the List, an interim update may be made. Assets would be considered for inclusion using the same scoring methods.

28. Updates could also include the possibility of assets being removed from the List. Removal is only likely to be necessary where irreparable damage has occurred which devalues the heritage value of an asset.

Implications

Equalities and Diversity

An Equality Impact Assessment has been prepared and is attached at Appendix 5 of this report.

Climate Change

The Local List highlights the value of retaining older buildings which are locally historically important, thereby helping to prevent their possible removal and replacement. The demolition and reconstruction of a building causes emissions to be released through the manufacturing, transportation, assembly, deconstruction and disposal processes – these emission releases are known as the release of embodied carbon. The retention of older buildings, especially where upgrades for energy efficiency can take place, can therefore help to prevent climate change by reducing the release of embodied carbon. However, any planning application that seeks to support the retrofit of a property on the Local List will need to consider its Local List designation. This may impact on how a building is retrofitted. The Council will ensure that a balanced approach is taken to protect a building's Local List status whilst also enabling buildings to be more energy efficient.

Finance

None specific.

Author: Simon Freeman, Deputy Chief Executive and Director of Finance

Governance and Corporate Services

None specific.

Author: Simon Hill, Director of Governance and Corporate Services

Appendices

Appendix 1 – Harlow Local List Update 2023 - Background and Process

Appendix 2 – Harlow Local List Update 2023 – Nominations Scoring

Appendix 3 – Harlow Local List Update 2023 – Shortlist

Appendix 4 – Harlow Local List Update 2023 – Updated Local List

Appendix 5 – Equalities Impact Assessment

Background Papers

- Existing Local List (2013) - <https://www.harlow.gov.uk/sites/default/files/documents/Locally%20listed%20buildings%20schedule.pdf>
- Planning Practice Guidance - <https://www.gov.uk/government/collections/planning-practice-guidance>
- Historic England's Advice Note 7 (Local Heritage Listing) - <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>

Glossary of terms/abbreviations used

SPD – Supplementary Planning Document