

REPORT OF DIRECTOR OF PLANNING AND REGENERATION

Nottingham Local List Adoption

Proposed Adoption of a Local List of Heritage Assets and Application in some cases of Article 4 Directions

1 SUMMARY

This report sets out the proposal for the adoption of a Local List of Heritage Assets in Nottingham and a mechanism for due consideration of applications for demolition of some historic buildings on the list through Article 4 Directions. Although these are Executive functions and will be referred to Executive Board in due course the Constitution permits Planning Committee to have a consultative role in the process.

2 RECOMMENDATIONS

That Planning Committee:

- 2.1 Recommend the adoption of a Local List to Executive Board including the attached criteria and selection process (appendix 1)
- 2.2 Recommend that Article 4 directions be considered in the circumstances indicated in appendix 3 to necessitate planning permission to be required in the case of demolition

3 BACKGROUND

- 3.1 Many of the city's most historically significant heritage assets are protected by national designations, with others being afforded higher levels of protection due to their location in Conservation Areas. However, many more significant buildings, historic landscapes and archaeological remains are not formally recognised resulting in, their actual and potential contribution and importance often being overlooked and unrecognised. The Nottingham City Aligned Core Strategy (Policy 11); the draft Nottingham City Land and Planning Policies Document (paragraph 4.130) and the Nottingham Heritage Strategy make reference to the Council creating a local list of non-designated heritage assets to ensure that their conservation and use remains a key part of the city's heritage which prevails for the benefit of future generations
- 3.2 Local Lists highlight key heritage assets in the townscape, which are cherished by communities. Such assets highlight the city's history, providing an instinctive link to the past and a giving us a sense of future direction by raising awareness of our origins. Local Lists differ from national designations as they draw attention to assets that are special because they are locally significant.
- 3.3 Research suggests that around 60% of local authorities in England now have Local

Lists. Nottingham has an established and detailed Local List, developed by the Nottingham Civic Society from an earlier list produced by the Council some years ago. However, the list is not formally adopted and can be afforded no weight in decision-making. Improving the list so that it is fit for purpose and formally adopted would enable the city to care for its valued assets and put them to best use as Nottingham grows.

- 3.4 The Nottingham Local Plan and the Heritage Strategy contain actions to adopt criteria for selection of heritage assets to be included in the Nottingham Local List. The Local List could then be used through the Local Plan as part of the evidence-base for planning and development as well as ensuring due process in decisions about the future of heritage assets and having a robust process for the justification of decisions on appeal.

4 CONSULTATION AND OBSERVATIONS OF OTHER OFFICERS

- 4.1 The proposed Local List Criteria and Selection Process has been written by officers from the Heritage and Urban Design Team in collaboration with the City Archaeologist and colleagues in Planning and Planning Policy Teams and having regard to the advice in Historic England's Advice Note 7: Local Heritage Listing. It has also been developed in consultation with the Nottingham Civic Society, the Nottingham Heritage Panel, Historic England, and the University of Nottingham.
- 4.2 The initial Local List criteria were the subject of an earlier report to this Committee following which they were subject to a 6 week public consultation period ending 7th January 2017. This enabled members of the public to input into the formation of the Local List Criteria and Selection Process and the proposals have been revised following this process (proposed criteria and selection process in appendix 1 and consultation report in appendix 2). The consultation was sent to the Nottingham and Long Eaton Topper; to all National and Local Amenity Societies; through the NCC consultation team and the Nottingham Heritage Partnership. From the consultation, 98% (80 people) thought that NCC should hold a Local List and 95% (77 people) felt that Article 4 Directions should be used in the case of demolition.
- 4.3 The process of applying the criteria of the Local List and using Article 4 Directions has been tested through a pilot project in Basford delivered by a PhD researcher funded by the University of York and Historic England.

5 RELEVANT POLICIES AND GUIDANCE

- 5.1 The following policies and guidance are directly relevant to the designation of Locally Listed Heritage Assets:
- National Planning Policy Framework (2012): Section 12. Conserving and enhancing the historic environment and the National Planning Policy Guidance (2014 onwards) on Non-Designated Heritage Assets
 - The Town and Country Planning (General Permitted Development) (England) Order 2015
 - Nottingham City Aligned Core Strategy (part 1 Local Plan) Policy 11 paragraph 3.11.8 (adopted September 2014); the Nottingham City Land and Planning Policies Document (part 2 Local Plan) Policy HE1 paragraph 4.130 (Publication Version January 2016) and the Nottingham Heritage Strategy (Published March 2015)
 - Historic England Advice Note 7: Local Heritage Listing (Published May 2016)

6 APPRAISAL

- 6.1 Paragraph 135 of the National Planning Policy Framework 2012 requires the Planning Authority to take the impact of development on non-designated heritage assets into account when determining planning applications.
- 6.2 Based on this paragraph, some councils have adopted a list of non-designated Heritage Assets, which has added weight to their decisions on appeal. Having adopted criteria for a Local List of Heritage Assets based on publically scrutinised and rigorous selection criteria provides a more robust basis for assessing planning decisions as well as identifying heritage issues at the earliest possible stage in the planning process.
- 6.3 The National Planning Policy Guidance States, *“Local lists incorporated into Local Plans can be a positive way for the local planning authority to identify non-designated heritage assets against consistent criteria so as to improve the predictability of the potential for sustainable development”*.
- 6.4 The National Planning Policy Guidance goes on to say, *“When considering development proposals, local planning authorities should establish if any potential non-designated heritage asset meets the definition in the National Planning Policy Framework at an early stage in the process. Ideally, in the case of buildings, their significance should be judged against published criteria, which may be generated as part of the process of producing a local list.”*
- 6.5 The Examination Draft Nottingham City Land and Planning Policies Document states, *“The Council will produce and maintain a list of non-designated heritage assets and set out the criteria for their identification.”* Furthermore, it states, *“In addition to nationally recognised assets, the City also includes a large number of buildings, archaeological sites, monuments, gardens and spaces of local and regional importance. These non-designated heritage assets are not afforded any additional statutory protection, but they are material considerations in the planning process and receive the full weight of both local and national planning policies. Therefore, where development affects a non-designated heritage asset or would result in its demolition or loss, a balanced judgement on the acceptability of the proposal will be made, having regard to the scale of any harm or loss and the significance of the heritage asset.”*
- 6.6 The proposed Local List Criteria and Selection Process consider this policy guidance and is further based on the best practice advice contained in *Historic England Advice Note 7: Local Heritage Listing*.
- 6.7 Even where a non-designated Heritage Asset is placed on a Local List it is generally afforded no higher level of protection in planning terms than any other property (unless it is situated in a conservation area). In particular, the demolition of a non-designated Heritage Asset would normally be permitted under the prior notification process...
- 6.8 Historic England Advice Note 7 on Local Heritage Listing recommends, *“Where changes do not require planning permission, an authority may consider whether the exercise of permitted development rights would undermine the aims for locally listed heritage assets. In cases where it would, authorities may consider the use of an Article 4 Direction (in tandem with the local listing process) to ensure any permitted development is given due consideration.”* Some authorities (such as Leicester City

Council) have imposed Article 4 directions taking away these permitted development rights for Locally Listed Heritage Assets.

- 6.9 The public consultation on the Local List gave a clear steer (95%) that NCC should impose Article 4 Directions in the case of demolition of a Locally Listed Heritage Asset. The imposition of Article 4 Directions in the case of Local Lists has been explored nationally and forms the basis for recommending which Local Heritage Assets (that currently have Permitted Development rights for demolition by Prior Notification) should have Article 4 Directions placed on them to require planning permission to be gained in the case of demolition. This would equalise protection of Locally Listed historic buildings with buildings within Conservation Areas.
- 6.10 The process to add an asset to the Local List would run in parallel with the process for making an Article 4 Direction with a 6-week consultation period with two public notices, a notice in a Local Newspaper and consultation with Local Stakeholders, such as ward councillors, businesses and heritage organisations. Following the consultation period, final approval to add to the list would be made by the Portfolio Holder. Officers would address any objections or appeals prior to final approval to add to the Local List.

7 FINANCIAL IMPLICATIONS

- 7.1 There are small resource implications for the administration of the selection process for the Local List, which can be met within existing budgets and staff resources.

8 LEGAL IMPLICATIONS.

- 8.1 Whilst the adoption of a Local List process and Article 4 Directions are Executive functions the Constitution gives this Committee a consultative role on such matters.
- 8.2 The proposals appear consistent with relevant National and Local Planning Policy and Guidance and whilst not carrying the weight of a Supplementary Planning Document the placing of assets on the local list will still amount to a material planning consideration in determining planning applications thereby affording such assets an additional layer of protection.
- 8.3 Once on the local list there is no formal right of challenge other than potentially by judicial review or challenging any planning decision where the relevant asset has formed a material planning consideration. Where it is determined that an Article 4 Direction is also required a separate statutory procedure has to be followed which may mean that there is a delay between an asset being placed on the Local List and any relevant Article 4 Direction being confirmed and taking effect (unless special circumstances exist necessitating the Direction to take effect immediately) .

9 EQUALITY AND DIVERSITY IMPLICATIONS

The Local List will provide opportunities for citizens from all communities to make applications to add entries to the Local List. The criteria includes a means of recognising diverse heritage within Nottingham and the contribution that all communities have made to the history of the city.

10 RISK MANAGEMENT ISSUES

None.

11 STRATEGIC PRIORITIES

- 11.1 The adoption of Local List Criteria and Selection Process was identified as a task to be delivered in the Nottingham City Land and Planning Policies Document (part 2 Local Plan) and the Nottingham Heritage Strategy.

12 CRIME AND DISORDER ACT IMPLICATIONS

None arising from this report.

13 VALUE FOR MONEY

- 13.1 The proposal would enable better-informed planning decisions to be made regarding Non-Designated Heritage Assets and give a process for the robust justification of decisions. It would also enable greater appreciation and engagement with heritage throughout the city.

14 HEALTH INEQUALITIES IMPLICATIONS

None arising from this report.

15 LIST OF BACKGROUND PAPERS OTHER THAN PUBLISHED WORKS OR THOSE DISCLOSING CONFIDENTIAL OR EXEMPT INFORMATION

Appendix 1 – Proposed Local List Criteria and Selection Process
Appendix 2 – Local List Criteria and Selection Process Consultation Report
Appendix 3 – Flowchart of recommendations for cases to use Article 4 Directions in the case of demolition

16 PUBLISHED DOCUMENTS REFERRED TO IN COMPILING THIS REPORT:

Nottingham Heritage Strategy (Published March 2015)
Historic England Advice Note 7: Local Heritage Listing (Published May 2016)
National Planning Policy Framework and Guidance (2012)
Nottingham City Aligned Core Strategy (part 1 Local Plan) (adopted September 2014) and the Nottingham City Land and Planning Policies Document (part 2 Local Plan) (Publication Version January 2016)

Contact Officer:

Alice Ullathorne, Heritage Strategy Officer, Development Management.
Email: Alice.Ullathorne@nottinghamcity.gov.uk.
Telephone: 0115 8761993

Appendix 1 - Proposed Local List Criteria and Selection Process

Nottingham Local List Criteria and Selection Process

Criteria for the Designation of Locally Listed Heritage Assets in Nottingham

The Local List should be a tangible reflection of the characteristics and history of Nottingham. Therefore, nominations for the list will be assessed against the criteria listed below. Elements of historical association will require evidence within the fabric of the building or heritage asset to meet the criteria of the list. Heritage assets must as a minimum have a local significance in order to be included on the list and for their inclusion to be regarded as a material planning consideration. The impact of development on locally listed assets will be part of the balancing exercise in the determination of planning applications (National Planning Policy Framework paragraph 135). All buildings that meet the criteria of national listing should be included in the National Heritage List of England if Historic England are aware of the building. However, designation of archaeological remains and designed landscapes at a national level only represents a sample of nationally important heritage assets and therefore some heritage assets included in the Local List may also be of national importance. The Local List is compiled through applications rather than a systematic survey and is not exhaustive. If a heritage asset is not included in, the list it does not mean it is ineligible for inclusion or that it cannot be afforded some level of protection under general planning policy.

In the following –HER means Historic Environment Record and UAD means Urban Archaeological Database

Criterion	Description
Age criteria for buildings and structures	<ul style="list-style-type: none">• Pre-1840 likely to be nationally listed if not will normally be included in the Local List• 1840-1914 – Likely to be of traditional construction and, while other criteria of selection need to be met, heritage within this timeframe is likely to provide evidence of the development of Nottingham from a medieval to modern city. Greater selectivity will be necessary from this period to today as mass production and availability of materials led to more standardisation of buildings.• 1914-1960 – for heritage within this category there will be a high level of selectivity and assets will be selected that either represent innovation; high quality design or aesthetic value or reflect important historic or communal associations• Post-1960 – The highest level of selectivity will be used for this group where the asset will demonstrably contribute to the heritage of the city to be included in the list
Rarity	Appropriate for all assets, as judged against local characteristics. Is the building or monument type either a local rarity or uniquely characteristic of the heritage of Nottingham? Selection will be made based on protecting rare heritage types as well as representing the typical or common place. Guidance on the relative rarity of heritage assets is given below with advice on how to judge good examples of each.
Heritage Asset Type	The following heritage asset types play an important role in understanding the heritage of Nottingham: <ul style="list-style-type: none">• Agricultural – surviving examples of pre-enclosure

	<p>heritage assets that have been subsumed in the city – all are likely to be good candidates for local listing</p> <ul style="list-style-type: none"> • Commemorative – high quality monuments that show a high level of craftsmanship or artistry will be good candidates for local listing especially if associated with a known artist. This category includes: <ul style="list-style-type: none"> ○ Public Art and Sculpture by leading artists or of communal value ○ Good quality Funerary Monuments ○ Civic Monuments and Statuary ○ War Memorials – are likely to be good candidates for local listing as they represent the role the people of Nottingham in events on a world stage • Commercial – Within this category, there will be a high level of selectivity in terms of the survival of fabric and aesthetic quality. <ul style="list-style-type: none"> ○ Banks and Offices ○ Shops, department stores, markets and auction houses ○ Good quality historic public houses (is it on the CAMRA historic pubs list?), Inns and Hotels ○ Tea houses, temperance bars and social clubs • Cultural and Entertainment – this category will need to demonstrate a high aesthetic quality and substantial original fabric of the building in order to be listed. <ul style="list-style-type: none"> ○ Libraries and reading rooms ○ Museums and Art Galleries ○ Assembly Rooms and Music Halls ○ Concert Halls, music venues, Theatres and Cinemas ○ Dance Halls, Villages Halls and institutes • Surviving vernacular houses, usually dating to the pre-enclosure period, are likely to be at least of local significance due to their local rarity. Complete cave dwellings are likely to be of local if not national importance (see caves). • Town Houses – there are many examples of town houses on the national heritage list within the Nottingham City Council area. Those houses before the mid Victorian period that do not meet the national criteria are likely to be good candidates for local listing. • Workers Housing and textile workers housing – good examples of groups of workers housing might be better served by conservation area status. For individual buildings and small groups that reflect good historic examples local listing might be a good management tool. Frame-work knitters and lace maker's dwellings are likely to be locally significant if they are not recognised by national listing. • Suburban and Country Houses – well-designed examples with high aesthetic value will make good candidates for local listing; especially if there is a historical association with important Nottingham figures such as local industrialists. This type of housing includes:
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	<ul style="list-style-type: none"> ○ Villas ○ Halls (e.g. Clifton, Basford and Wollaton) ○ Suburban housing ○ Clergy Housing • Modernist Housing – individual houses are a relative rarity in the city so good examples might meet the criteria for local listing. There are significant numbers of 20th century housing typical of the era so a very high level of judgement will be used in the selection of Local List candidates. There are good examples of wartime housing, which might be of local significance (see prefabricated buildings below). • Education – the city is well served with good education board schools from the 1870s. There are also good examples of earlier schools such as the Town Mission Ragged School of 1858 and the Old Grammar School at Bulwell of 1667. The two universities and a number of higher education establishments contain good historic buildings. Good candidates for local listing will include early schools and well-designed historic education buildings from all periods. Buildings within this category include: <ul style="list-style-type: none"> ○ Board Schools and other school ○ University and Higher Education establishments ○ Halls of Residence – the universities have several high quality halls of residence that were either purpose built, such as Florence Boot Hall or were reused residential properties, such as High Stewart Hall (formerly Lenton Hall). Those historic halls of residence that are not nationally recognised are good candidates for the Local List. • Health and Welfare – there are some high quality undesignated health and welfare buildings in the city. Good examples would make excellent candidates for the Local List. This category includes: <ul style="list-style-type: none"> ○ Hospitals and Asylums –Victorian institutions within the city that are not nationally listed are likely to make good candidates for the Local List. There are the potential for archaeological remains of earlier foundations, such as the medieval hospital of St John. Remains of medieval hospitals are likely to be of national significance and will be managed through the Archaeological Constraint Areas and be added to the HER and UAD. ○ Almshouses – standing almshouses survive from the Victorian and Edwardian period with many being nationally listed. Good examples of almshouses are likely to be excellent candidates for local listing. ○ Workhouses and Children’s Homes – such as Basford Union Workhouse ○ Dispensaries • Industrial – the main industries in the city of Nottingham during the post-medieval and modern periods were lace,
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bicycles and tobacco. While national listing protects some heritage, assets relating to these industries many fall below the criteria while adding greatly to the story of Nottingham. These would therefore meet the criteria of local listing:

- Lace and stocking Manufacturing, finishing (bleach works) and warehousing buildings
- Buildings associated with Viyella manufacturing
- Boots buildings – including diversified industry such as the print works
- Heritage assets relating to the tobacco industry
- Fabric relating to Raleigh Bicycle manufacture
- Heritage Assets relating to the leather and tanning industry
- Breweries and Maltings
- Mining/Quarrying
- Warehouses – including rail warehouses
- Heritage Assets relating to motorcycles and the early motor industry.
- Early Industry – archaeological remains of early industry are likely to make good candidates for local listing, such as mining from the 16th century
- Any remains of the Nottingham alabaster industry will be protected by local listing if not by national designation
- Heritage assets relating to pottery, tile and brick production
- Law and Civic – Civic buildings tend to represent the highest quality of design and planning and therefore are often included within the National Heritage List. Historic examples that do not meet the criteria of national listing are likely to be of local significance in terms of the history of the civic development of the city. Examples include:
 - Town Halls and government buildings
 - Law courts, police stations and prisons
 - Fire stations
 - Political Clubs and Institutions, such as the Mechanics Institute
- Military – there is a high potential of military remains of different periods throughout the city. Elements that survive well are likely to be locally listable. This might include:
 - Pre-Norman Conquest (Late Saxon) defensive ditch - archaeological traces of the defensive ditch are at least of local significance
 - Medieval Town Wall – archaeological traces of the town walls are at least of local significance. There is only one short length of in situ town wall and this is already scheduled. Further remains are unlikely to survive; however, theoretically some remains of wall could exist
 - Medieval (post Norman Conquest) town ditch – archaeological traces of the defensive ditch are at least of local significance
 - Civil War remains – any remains are of local if not

	<p>national significance</p> <ul style="list-style-type: none"> ○ 20th century defences – such as pill boxes, airfields, anti-aircraft batteries, bombing decoys or bunkers/shelters ○ Prisoner of War locations and camps and army training grounds – there are at least two known locations within the city where prisoners of war were detained. If there is surviving fabric of these historical events, they may be worth of local listing in their own right or would add to the case for local listing with other factors. <ul style="list-style-type: none"> ● Places of Worship or religious sites – Good examples of historic places of worship of all different denominations and faiths can be eligible for local listing. This includes buildings that have been reused as faith buildings such as houses, which have been converted to mosques. There are potential archaeological remains in the city of medieval religious foundations such as at the scheduled Lenton Priory or the site of the Carmelite Friary off Friar Lane as well as smaller scale sites such as the scheduled Lenton Hermitage. Any traces will be of national significance and will be protected through Archaeological Constraint Areas. ● Burial or funerary sites without religious affiliation – there is at least one medieval site and there are also known Bronze Age and Roman sites within the city ● Sports and Recreation – <ul style="list-style-type: none"> ○ Swimming Baths ○ Early or well-designed historic Indoor sporting venues such as billiard halls, lads or girls clubs, skittle alleys, gymnasias, drill halls and sports centres ○ Good quality historic outdoor sporting venues – including pavilions, grandstands, and sports grounds ● Street Furniture – good examples will be grouped with other heritage assets to meet the criteria for designation unless of exceptional quality. This category can include street surfaces and steps, lighting, boundary markers, signposts, bus shelters, drinking fountains, pumps, letterboxes and telephone kiosks. ● Transport – surviving infrastructure and buildings can be locally listable such as: <ul style="list-style-type: none"> ○ Rail viaducts and trackbeds ○ Suburban Railways ○ Canal and river structures ○ Bridges ○ Train warehouses ○ Car parks and showrooms ○ Bus and tram depots and sheds ● Utilities and Communication – historic examples of the following heritage assets could be added to the Local List: <ul style="list-style-type: none"> ○ Power generation or distribution site ○ Wells, waterworks, pumping stations, water towers
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	<p>and reservoirs.</p> <ul style="list-style-type: none"> ○ Communications structures – good quality historic post offices and telegraph exchanges • Prefabricated buildings, such as the ‘Crane House’ in the Middleton Boulevard Conservation Area – need to evaluate whether they would benefit from extra protection through being locally listed. There are also a group of Tarran bungalows on Beechdale Road. With local listing, selectivity will be used in designation to protect key buildings that add to the understanding of the whole or that retain original fabric. • Caves – these have been cut into the soft sandstone below the city centre for centuries for different purposes from hermitages, to pub cellars and even malt kilns, tanneries and catacombs. The caves have now been extensively mapped and a Supplementary Planning Document is being prepared for their management. Individual local listing of the caves would help to flag up their presence in the planning process and ensure the impact of development on the caves is understood and considered within the determination of planning applications. • Prehistoric Nottingham – There is a high potential that prehistoric remains survive, particularly in areas close to the River Trent. Excavations have shown the presence of Bronze Age and Iron Age settlements in Clifton, Wilford and Broxtowe. These remains are likely to be regionally if not nationally important and if they are not designated, they will be included in the Local List. • Roman Nottingham – considering the plentiful prehistoric evidence in the Trent Valley there is a paucity of Roman evidence within Nottingham. Any remains of Roman date will be added to the Local List if not nationally designated. • Saxon and Medieval Nottingham – There is a high potential that remains of the Saxon borough sited around the Lace Market and the Norman Town focussed at the castle survive beneath the city centre. These have the potential to contain information about everyday life in the city for more than 1000 years. Outside the centre, there is the potential for remains to survive of smaller settlements around the city such as at Basford, Bulwell, Sneinton, Wilford and around the Lenton Priory site. Any significant remains are likely to be of national importance and therefore will be managed through the Archaeological Constraint Areas by the City Archaeologist. These will be added to the HER and UAD.
Architectural or Artistic value	<p>The intrinsic design value of an asset relating to local styles, materials or any other distinctive local characteristics, for example:</p> <ul style="list-style-type: none"> • Use of Bulwell Stone or Derbyshire Gritstone in a good quality building • High quality use of architectural ceramics • Good examples of brick buildings using brick detailing – needs additional selection criteria

	<ul style="list-style-type: none"> • Fine examples of architectural styles, such as neo-gothic, Art Deco, or eclectic • High quality of craftsmanship or design
Group value	<p>Groupings of assets with a clear visual, design or historic relationship, such as the group of heritage assets around Wellington Circus or the Civic area around the Guild Hall. Consideration needs to be made whether there are enough assets for a conservation area and whether that would be a better means of managing them.</p>
Documentation	<p>The significance of a local heritage asset of any kind may be enhanced by a significant contemporary or historic written record</p>
Historic association	<p>The significance of a local heritage asset of any kind may be enhanced by a significant historical association of local or national note, including links to important local figures, such as;</p> <ul style="list-style-type: none"> • Buildings designed by Nottingham architects T.C. Hine, Watson Fothergill, Cecil Howitt, GT Hine, AM Bromley, Gilbert Smith Doughty, Brewill and Baily, Arthur Marshall • Architects that designed any buildings of Special Interest recognised on the National Heritage List for England • Key figures in the history of Nottingham such as Jesse and Florence Boot, Albert Ball, William and Catherine Booth, or Mary Potter • Examples of philanthropy within the city • Heritage Assets associated with Literary or artistic figures such as Lord Byron, DH Lawrence, Alan Stillitoe (?), Laura Knight • Heritage Assets associated with rebellion or social reform within the city, such as Luddite disturbances, Chartist riots and the Suffragette and Women's movement <p>Selectivity will be taken with heritage assets designated for historical association, there will be a link between the historical events/figures and existing fabric. Historical association without a link to existing fabric can be recognised by other means, such as a blue plaque scheme</p>
Archaeological interest	<p>Heritage assets can be locally designated on the grounds of archaeological interest if the evidence base is sufficiently compelling and if a distinct area can be identified. In Nottingham, there is a high potential for important archaeological remains, which are not protected through national designation including caves cut into the rock (see above) to a range of buried deposits potentially from as early as the Bronze Age detailing everyday life in the city. Extensive remains of medieval date within the area of the Saxon and Norman city are likely to be of national importance. Specific heritage asset types are dealt with above and consideration must be made of whether local listing is an appropriate management tool or whether remains will be managed through Archaeological Constraint Areas alongside recording on the HER and UAD. There are some sites within the Nottingham City Council area that contains high palaeoenvironmental potential, which could be locally protected within the Local List.</p>
Designed landscapes and Open Spaces	<p>This includes gardens, grounds and other planned open spaces, such as town squares, that are not on the national register of Parks and Gardens but do have historic significance. Some</p>

started life as the grounds of private houses while others include public parks and cemeteries. Even hospital landscapes and industrial sites such as pumping stations can be included, because they have skilfully planned surroundings reflecting the landscaping fashions of their day. The emphasis of the Register is on 'designed' landscapes, rather than on planting or botanical importance. Nottingham has an interesting and strong assemblage of different design landscapes emphasising the planning of green spaces in the later development of the town and later city. Designed landscapes that are characteristic of Nottingham include:

- Allotments and detached town gardens – Nottingham has the largest area of detached town gardens (St Ann's Allotments) and two (St Ann's Allotments and Bagthorpe Gardens) of the five designated areas of detached town gardens in the country. Detached town gardens were plots of land at the edge of the town rented out to artisans and the skilled working class, such as lace makers, for use as ornamental and productive gardens. This is a nationally rare landscape type, which is likely to be recognised by inclusion on the register of parks and gardens. In addition to these nationally designated landscapes, there are historic allotments within the city. A candidate for local listing would need good survival of historic layout, boundary features.
- Gardens/Grounds of villas and country houses – where there is the survival of layout, boundaries, structures and planting consideration for local listing will be given.
- Victorian/Edwardian Suburbs – with circuses and squares – such as the Park Estate or Wellington Circus. Good candidates for local listing will have surviving layout and boundaries with a preference for original planting schemes.
- 20th century Garden Suburbs – for example Clifton South where the layout still survives with good tree planting to increase public amenity. A high level of judgement will be needed to select those elements that are characteristic of the whole and survive intact.
- Public Parks and gardens including structures – such as the Arboretum, Highfields Park or the Castle Bailey. A discussion regarding the most appropriate management tool might be appropriate as the three examples are already nationally designated.
- Public Walks – Nottingham has a number of public walks created immediately after the Enclosure Act of 1845. These are not unique; however, Nottingham is unusual having a planned set of walks including Robin Hood Chase, Corporation Oaks, the walk around Bellevue Reservoir, Elm Avenue and Queen's Walk.
- Cemeteries and Gardens of Remembrance – including designated sites such as Rock Cemetery (grade II* registered) and the General Cemetery (grade II registered) or locally significant places such as the Jewish Burial Ground on North Sherwood Street. Other examples

	<p>include St Mary's Garden, which was a Cholera Burial Ground and intra-mural burial grounds at Mount Street and Barker Gate. Good candidates for local listing will have surviving boundaries, layout and landscaping, planting, monuments and buildings.</p> <ul style="list-style-type: none"> • Institutional landscapes – such as University Park or King Edwards Park, Sinton (the site of the County Lunatic Asylum). Surviving elements will normally include boundaries, layout, landscaping, and structures.
Landmark status	<p>An asset 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. This might include a historic building that ends the view down a street or a church or institutional building.</p>
Social and communal value	<p>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. This can include public places such as swimming baths, schools, pubs or parks; or historic places associated with influential figures in the city. Allied to this is the importance of the asset to the story of Nottingham or parts of Nottingham. Within this category assets representing the following might represent good candidates for local listing:</p> <ul style="list-style-type: none"> • Heritage assets that relate to Black And Minority Ethnic (BME) communities within the city • War memorials • Community facilities such as schools, swimming pools and public houses (see above) • Buildings that reflect discrete communities in the city such as LGBTQ buildings <p>This can add to the significance of a building but will relate to the fabric of heritage assets for this to be a defining criteria of selection.</p>

Selection Process for Local Listing

1. Online Application Process – seeking:
 - **Statement of significance:** *identifying the significance of the asset in the local context*
 - **Location details:** *Ordnance Survey (OS) grid references and street address*
 - **Administrative information:** *may include Parish, District and County details*
 - **Photographs:** *visual recording of the asset from the public realm, concentrating on significant elements*

The Local List database populated from the application form will fulfil the data requirements of the Historic Environment Record so that it can be incorporated directly.
2. Application risk assessed to determine whether it needs to be assessed as a matter of urgency by the Selection Panel or whether it can be considered at the next quarterly meeting of the Panel
3. Selection Panel comprising of City Council Heritage Officers, Nottingham Civic Society and Community Heritage Representative assesses the application against the selection criteria for the Local List with the possible need of a site visit to assess significance as well as assessment of the requirement of an article 4 direction.

4. 28 Day Consultation - Owner and Applicant informed of selection process and implications of local listing through guidance. Consultation with local stakeholders, such as ward councillors, businesses and heritage organisations and publication of notices.
5. Application and results of consultation and referred to Portfolio Holder to determine whether the Asset be included in the Local List or rejected and if Article 4 Direction should be made. If included in the List the Asset will be add to the HER and GIS (Geographical Information System) layers on Nottingham Insight Mapping.
6. Applicant and owner informed of decision and reasons for designation or rejection.
7. If Article 4 Direction required the relevant Direction will be made, notified, published and confirmed in accordance with the procedure in Schedule 3 of the Town and Country Planning (General Development Procedure)(England) Order 2015
8. Annual review of the Local List to assess whether any assets should be delisted with removal of article 4 directions.

Appendix 2 - Local List Criteria and Selection Process Consultation Summary Report

This report was generated on 10/01/17 following 6 weeks public consultation regarding proposed Local List, Criteria and Selection Process. Overall, 83 respondents completed this questionnaire.

Do you think Nottingham City Council should hold a Local List?

Response	Number	%
Yes	80	98
No	2	2

Please explain your response to the question

Consultation Response Themes	NCC RESPONSE
A local list would help to recognise local peoples' heritage - To identify and acknowledge hidden gems in the City	
Good for learning and tourism - Sell Nottingham to the world	
It would present a barrier to development.	<ul style="list-style-type: none">• In cases of demolition the future development of the site would be subject to planning permission therefore including the proposed demolition in the planning application can enable due consideration at the start rather than end of the planning process• Mediate issues that might come forward later where the development could be controversial• The heritage of Nottingham is key to Placemaking and creating a place that people chose to live in or visit boosting the local economy as demonstrated in the Nottingham Heritage Strategy, Heritage Counts and HLF reports.
Listed building regime already exists. What additional benefits does a local list bring (and costs)?	<ul style="list-style-type: none">• Listed Buildings selection processes do not include what is of Local importance as they are a designation of national importance. This means a great number of locally significant buildings that add greatly to the city's character and history remain unrecognised and have no safeguard.
Nottingham's heritage is very important. Once lost, historic buildings are lost forever.	
We have some great spaces/ buildings/	

monuments which should be preserved for the people of Nottingham as they have a significance beyond the national criteria To protect local character - Great cities need to have a clear identity	
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Do you think Nottingham City Council should require owners to apply for planning permission for the demolition of Locally Listed Buildings or structures outside conservation areas?

Response	Number	%
Yes	77	95
No	4	5

Please explain your response to the question

Consultation Response Themes	NCC RESPONSE
This is a key protection to avoid the summary demolition of buildings	
Future growth and prosperity depend on the socio-political environment being agile and responsive to change. The list would have to be properly managed so people / buyers/owners are made aware of this prior to the property purchase	<ul style="list-style-type: none"> • In the vast majority of cases planning permission is required as part of comprehensive redevelopment of a site • By requiring planning permission, the balancing exercise between public benefits can be considered at the start of the planning process rather than applications causing controversy for applicants and decision-makers at the end of the planning process. • The process of selection and adoption would be rigorous, open and subject to consultation with owners. • Protection for Locally Listed Heritage Assets would be equalised with that inside conservation areas
It is important that proper consideration is made.	
We need to take more care of local buildings and features that are important to local people	
There isn't that much point in having a local list if it doesn't involve some extra protection for the buildings concerned.	
It offers at least some protection to buildings of merit that happen to be outside of conservation areas.	
Yes, but only after the need has been expressed to the owner.	There would be a robust selection process and consultation period with

	owner and stakeholders
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Do you have any comments regarding the Local List Selection Criteria?

Consultation Response Themes	NCC RESPONSE AND CHANGES TO CRITERIA
There are 14 men mentioned and only one woman as historical figures, association with whom would add significance.	This has been reviewed and a more equal balance is included
Geographical criteria are too broad and age criteria should be shifted forward	<ul style="list-style-type: none"> • The geographical scope is an example within the criteria and very local historic significance does apply. • The age criteria are based on the tried and tested criteria that Historic England use for designation, which enables a period of time to gain a historic perspective on significance. • there are other factors that enable selection of younger buildings
You need to include parks and public open spaces	Designed Landscape criteria includes open spaces for clarity
Historic and significance views should be included so that any changes to these can be considered	<ul style="list-style-type: none"> • Within the planning process significant views cannot be protected through a Local List • In practice, views are managed through documents such as the Urban Design Guide and within individual applications to protect the setting of Listed Buildings and Conservation Areas, which do have weight within the planning process.
Economic, social and sustainability issues must be balanced against desire to protect	<ul style="list-style-type: none"> • The only additional burden would be the requirement to apply for planning permission, which is required for the wholesale redevelopment of a site already. • Without a Local List buildings can be lost without assurance that there are public benefits on the site that outweigh that loss. • For owners, it should give certainty and enable consideration of heritage issues early in the process.
Seems a well thought out list of criteria but it will still be open to how it is interpreted.	<ul style="list-style-type: none"> • Within the planning process, all decisions have to be weighed up between harm and public benefits.

	<ul style="list-style-type: none"> • There will be occasions where the public benefits derived by a scheme will outweigh the harm of the loss of a Locally Listed Heritage Asset. • However, the presence of the Local List will enable each case to be carefully considered and heritage value to be part of the balancing exercise.
I feel trees could be included, especially those planted at a specific time or place, or trees over a certain age.	<ul style="list-style-type: none"> • Trees are certainly an important part of the historic environment as reflected in the designed landscapes and open spaces part of the criteria. • Individual trees can already have a greater level of protection through Tree Preservation Orders.
my only concern is that the criteria seems to put a lot of emphasis on physical nature and much less on cultural significance	There are criteria for recognising historic association and if there is no remaining fabric the cultural significance might be better recognised through a blue plaque.
Historic transport infrastructure should be included as a category, such as GCR of Nottm Suburban Railway remains, old tram works etc., trackbeds	This has been included in the final criteria

Do you have any comments about the selection and application process for the Local List?

Consultation Response Themes	NCC RESPONSE AND CHANGES TO THE SELECTION AND APPLICATION PROCESS
There is no appeals process? Listing would have significant impact on building owners, rejection impacts the applicant. The process for challenging decisions needs setting out	There is a consultation process when candidates are selected where people can raise objections to listing or the imposition of an Article 4 Direction.
Should include local non-council experts and community representatives? How would conflicts of interest be avoided?	<ul style="list-style-type: none"> • The panel would be made up of members of NCC's Heritage and Urban Design team, the City Archaeologist, Nottingham Civic Society and Community Representatives including local businesses. • We are keen to maintain the independence of the panel and to reflect different communities. • There would be a Terms of Reference for the Selection Panel as well as a Conflicts of Interest process.

Wishes and sentiments need to be weighed up against economic, social and sustainable realities	
Application is too difficult	NCC are creating the framework for the formal process; however, aligned with this we would like to have dissemination and enhancement of the Local List in an easily understandable way through community groups such as the Nottingham Heritage Partnership and the Nottingham Civic Society.
Who will maintain the list and take decisions on inclusion? Will this remain with Nottingham civic society or become local authority duty?	The adopted list would need to be maintained by NCC as a framework; however, we would like the enhancement of the list to be taken up by heritage groups from all communities.
Possibly nomination by anyone but acceptance by a panel or a regular list of suggestions online or in local library for people to vote on	There would be a consultation period for all of the candidates, which can be put in Local Libraries and would be sent to local stakeholders. The panel would meet on a quarterly basis to consider applications
It is not clear how the selection criteria is to be consistently applied, or how many of the criterion an asset should be expected to meet before it is added to the list.	<ul style="list-style-type: none"> • The criteria has been tested through a pilot project in Basford and is based on selection principles developed by Historic England over decades. • There will necessarily be subjective judgements and the selection panel will have to set the bar for Local Listing. • Having a panel representing different heritage communities should help develop consistency in the application of the list. • Completeness is an important factor, which is inherent in whether something is a good example of type.

Appendix 3 – Flowchart of recommendations for cases to use Article 4 Directions in the case of demolition

