

## **Meeting of the Development Control Committee – 13<sup>th</sup> September 2021**

### **Report of the Director of Regeneration and Enterprise**

### **Adoption of the Revised Dudley Borough Local List**

#### **Purpose**

1. To seek Development Control Committee's approval and adoption of the Revised Dudley Borough Local List - in order for it to replace the Council's original 1996 version which over time has become outdated.

#### **Recommendations**

2. It is recommended that:
  - Development Control Committee approve and adopt the Revised Dudley Borough Local List as a replacement for the original 1996 version (**Appendix 1**). The original version was adopted by the Council's (then) Planning Committee in December 1996 and is now considered to be in need of an update to reflect the latest Historic England best practice guidance and the guidance provided in the National Planning Policy Framework (NPPF).

#### **Background**

3. In 1996 Dudley Council adopted a 'Local List' of buildings and structures of historic or architectural significance that were considered to make a particular contribution to the local character and distinctiveness to the borough and worthy of protections and conservation in their own right. The built heritage of Dudley's was in a lot of cases built after 1840 and so will often not meet the strict national criteria necessary for inclusion on the statutory list. By way of background, the Council drew up and published criteria for selection, based on factors relating to purely local aspects of historic significance. The draft Local List of buildings was subject to public consultation, after which a finalised Local List was produced and then approved for adoption by Development Control Committee (then known as Planning Committee) on 12th December 1996.

4. As the original list is now over 25 years old it requires updating to bring it in line with recent changes in the National Planning Guidance as set out in the National Planning Policy Framework (NPPF) and to also reflect best practice guidance set out by Historic England in their publication '*Local Heritage Listing: Historic England Advice Note 7*' (2021). The purpose of updating this list is to ensure that the Council can respond positively to regeneration opportunities whilst respecting local historic assets of value and where feasible bringing them into beneficial use. It will be the role of Development Control Committee to approve any further additions to the revised list in the future following consideration of officers' recommendations.
5. On the 11th August 2014, Development Control Committee approved the publication and subsequent public consultation of a revised set of criteria by which buildings and structures are to be assessed against in order to decide if they are deemed suitable to for inclusion on Dudley's Local List.
6. Following further work, a public consultation exercise was carried out on these revised criteria during May and June 2015. Some 720 stakeholders were consulted during this exercise, including known owners and occupiers of locally listed buildings and structures, local interest and history groups such as the Brierley Hill Civic Society, and external bodies such as Historic England (formerly English Heritage) and the Canal and River Trust. A total of 18 stakeholder representations were received by Dudley Council, with a generally high level of support for the revised set of assessment criteria.
7. Following the May/June 2015 consultation exercise, a number of amendments were made to this set of revised assessment criteria – the updated revised set of 16 assessment criteria now includes:
  - A new criteria to cover rarity and (Dudley's) identity;
  - The physical integrity of a given building or structure;
  - A new criterion relating to the 'group value' of buildings;
  - An amendment to include an assessment of landmark quality;
  - Making references to structures as well as buildings; and
  - Amending the headings 'Architectural Merit' and 'And Additionally' to respectively read 'Architectural Interest' and 'Additional Criteria'.
8. On the 23<sup>rd</sup> February 2016, Development Control Committee approved this updated revised set of 16 assessment criteria by which buildings and structures are deemed suitable to be included on a database of Locally Important Buildings and Structures. This database formed the basis of the new revised Local List. At this meeting, the Development Control Committee further approved that these 16 criteria then be used to review those buildings and structures on the current Dudley Local List.
9. Since then, all entries on the 1996 Local List have been re-assessed in terms of whether they should be retained or removed from the List, and a quantity of additional proposed entries put forward for local listing have similarly been considered - the latter resulting from various Historic Landscape Characterisation (HLC) studies carried out by

Dudley Council regarding Brierley Hill, Dudley, Halesowen and Stourbridge town centres and the area known as the Glass Quarter.

10. In total, in excess of 470 heritage assets have been taken into consideration and assessed as part of this Revised Local List exercise resulting in the production of the Revised Dudley Borough Local List (Appendix 1) which now contains a total of 293 locally listed heritage assets.
11. Table 1 in Appendix 1 set out how many buildings since the publication of the original 1996 local list have been upgraded and subsequently added to the statutory list, how many are located in a designated conservation area and therefore do not need to be on the local list and how many have been approved for demolition after very careful consideration against the strict requirements of the local list policy contained in the local plan.

### **Finance**

12. The establishment of a Local List and its subsequent updating are funded from existing budgets and resources dedicated to the protection of the Borough's Historic Environment and the production of Development Plan Documents and other such statutory planning documents.

### **Law**

13. The Local List and its associated planning policies are produced in accordance with the relevant provisions of the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012 and the National Planning Policy Framework (NPPF) (and associated guidance) (2012).
14. Section 2 of the Local Government Act 2000 allows the Council to do anything that it considers is likely to promote or improve the economic, social, or environmental well-being of the area.

### **Risk Management**

15. Failure to have an up-to-date local list that informs the successful application of relevant local plan policy could result in the inappropriate demolition, partial demolition, alteration or extension of a quantity of heritage assets in the borough - which instead should be conserved and enhanced for the betterment of the borough's local character and distinctiveness.

### **Equality Impact**

16. The Local List is part of a set of planning and historic environment policies and documents which set out to protect the historic character and distinctiveness of the Borough for the benefit of all its communities. This includes meeting the needs of disabled persons as well as children and young people through protecting valuable historic assets for them as well as having a positive effect for future generations.

### **Human Resources/Organisational Development**

17. It is considered that there are no additional human resources or organisational development implications resulting from this report. Work on the draft Revised Dudley Borough Local List has been carried out by the Regeneration & Enterprise Directorate's Planning Policy and Projects and Delivery teams.

### **Commercial/Procurement**

18. There are not considered to be any commercial or procurement implications as a result of this report – all work in producing the draft Revised Dudley Borough Local List being carried out by Council officers.

### **Council Priorities**

19. The Revised Dudley Borough Local List will contribute towards various of the 7 aspirations of the Borough Vision, in particular '*Home of rich heritage, inspiring a unique visitor destination*', and is in full accordance with the Council Plan and Future Council Programme.
20. The Revised Dudley Borough Local List will also contribute towards the Council Plan's priority to '*Support stronger and safe communities*' by helping conserve and enhance the borough's local character and distinctiveness, and thereby contributing towards a strong sense of place and belonging.
21. The Revised Dudley Borough Local List will not have any implications for existing communities – including as to the local infrastructure of schools, GP and health provision, public transport connectivity, local housing needs, local deprivation, green spaces, and the safety of the community.
22. The Revised Dudley Borough Local List will not have any negative environmental implications and will not impact on the Council's carbon reduction strategy and its aim to reach net zero by 2041.

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**Appendices**

Appendix 1 – Dudley Borough Local List - September 2021

**List of Background Documents**

Planning Committee on 12th December 1996

Development Control Committee on 11th August 2014

Development Control Committee on 23<sup>rd</sup> February 2016

Local Heritage Listing: Historic England Advice Note 7, (2021) -  
<https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>