

Subject:	Rossendale Local List of Non-Designated Heritage Assets	Status:	For Publication
Report to:	Overview & Scrutiny	Date:	13 January 2025
Report of:	Head of Planning	Lead Member:	Leader of the Council and Lead Member for Planning
Key Decision:	<input type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required: Yes	Attached:	Yes
Biodiversity Impact Assessment:	Required: Yes	Attached:	Yes
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1. RECOMMENDATION(S)

- 1.1. That Overview and Scrutiny Committee consider and approve the Draft Rossendale Local List of Non-Designated Heritage Assets (Local List) to go out for a 4-week public consultation.
- 1.2. Minor amendments to the Draft Local List to be delegated to the Head of Planning and Lead Member prior to consultation.

2. EXECUTIVE SUMMARY

- Rossendale Borough Council adopted the Local Plan in December 2021. The explanation section for strategic policy ENV2 sets out the Council's commitment to introduce a Local List to provide protection to Non-Designated Heritage Assets (NDHAs) (paragraph 238).
- [Planning Practice Guidance](#)¹ (July 2019) advises that "plan-making bodies should make clear and up to date information on [NDHAs] accessible to the public to provide greater clarity and certainty for developers and decision-makers".
- This document contains a list of assets which have been deemed appropriate to be included on the Local List and includes key information about the asset, such as the name, location and a description of its importance.
- This version of the Local List mainly derives from information compiled by Growth Lancashire, the Council's heritage consultant, and has sources including a previous draft iteration of a Local List (and subsequent updates) produced by the Rossendale Heritage Network (October, 1992), the general public, members and officers from Growth Lancashire and Rossendale Borough Council.
- Growth Lancashire performed a county-wide public call for nominations in 2022 for their Local List project. The nominations for Rossendale were then assessed by an expert panel of conservation and heritage professionals, planning officers and members with decisions made regarding what assets should be included on the Local List.
- A public consultation exercise will commence in January, the primary purpose of this being to notify property owners and ensure other relevant consultees, such as Lancashire County Council and Historic England, are aware of this and have the opportunity to comment.

¹ <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#non-designated>

3. BACKGROUND

- 3.1. The Rossendale Local Plan 2019 to 2036 sets out in the explanatory section of strategic policy ENV2: Historic Environment that the Council will introduce a new Local List which will provide protection to key NDHAs that make a strong contribution to the areas character.
- 3.2. The [Planning Practice Guidance](#) (July 2019) advises that “plan-making bodies should make clear and up to date information on [NDHAs] accessible to the public” and this will allow more effective determination of planning applications where paragraph 216 of the National Planning Policy Framework (NPPF) (December 2024) is triggered.
- 3.3. This current version of the Local List mainly derives from information compiled by Growth Lancashire as part of their county-wide call for nominations in 2022 for their Local List project. This builds on a number of nominations which were proposed previously including numerous assets from a previous iteration of a Local List (with subsequent updates) produced by the Rossendale Heritage Network (October, 1992), the general public and officers from Growth Lancashire and Rossendale Borough Council.
- 3.4. These nominations were assessed by an expert panel chaired by Growth Lancashire, which met in 2023 on 17th May, 30th May, 12th June and 27th June. Every asset nominated for Rossendale was assessed at a panel meeting and a decision was made on each as to whether to include within the draft Local List or not.
- 3.5. Three NDHAs have also been proposed post these panel meetings and deemed appropriate for inclusion on the draft Local List. These are:
- NDHA_204 - 56 & 58 Stubbins Street
 - NDHA_155 - The Back Road & spring-fed well, Acre
 - NDHA_203 – Stone Boundary Marker between Rossendale and Rochdale, Whitworth

4. DETAILS

- 4.1. This document will act as the Council’s Local List of NDHAs and will provide greater clarity and certainty for asset owners, decision makers and developers regarding any proposed development works which may affect a NDHA.
- 4.2. The National Planning Policy Framework (NPPF) 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’. **Designated** heritage assets are typically defined under relevant legislation and include statutorily listed buildings, scheduled monuments, registered historic parks and gardens, conservation areas, world heritage sites etc. **Non-designated** heritage assets may not meet the requirement to be statutorily listed (i.e. Grade I, II* or II) but still hold enough historic value to be brought into consideration when determining planning applications. NDHAs can be identified through Local Lists, Local Plans, Neighbourhood Plans and planning decisions.
- 4.3. A Local List can be used to identify NDHAs and will act as a record of the historic environment within Rossendale. This will allow owners, decision makers, developers and relevant stakeholders to attain an understanding of the historic value of an asset before deciding on a course of action. The list, and the asset descriptions, are to be read as pertaining to the period when the Local List was compiled (2024), as the Council acknowledges that the assets, and therefore their descriptions, may alter over time. Assets on the list have been carefully selected

in accordance with [guidance on Local Heritage Listing from Historic England](#)² (2021) and will be kept under review.

- 4.4. The identification of a property as a NDHA does not affect permitted development rights by default, nor does it introduce a requirement to apply for planning permission or listed building consent if any works are proposed to an asset. However, if a planning application is required for works to, or that may affect, a NDHA then a written Heritage Statement may be required in order to understand any impact that the proposal may have on the asset so that it can be a material consideration in determining any planning applications. This is in-line with the requirements of the NPPF.
- 4.5. Development proposals which result in the total or partial loss of a NDHA would need to be fully justified with comprehensive evidence as to why it is thought this loss outweighs potential harm.
- 4.6. A 4-week consultation will be undertaken with letters sent out to all properties identified for the attention of the property owner and/or occupier. Where assets do not have an address we will seek to identify the owner and contact them. Details will also be placed on the Council's website and through the Council's normal social media channels. The consultation will 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 Local List. All comments received will be considered and will assist in finalising the Local list for adoption.
- 4.7 Given that Growth Lancashire undertook a thorough consultation to identify NHDA'S previously, and relevant professionals with knowledge of Rossendale were included on the Panel, it is not intended to invite new nominations at this stage.
- 4.8. Over time it is likely that this list will change as planning applications or new Neighbourhood Plans identify new assets. Or it may be that some assets change and so no longer retain their value as a NDHA, i.e. where irreparable damage has taken place. Where this is the case the Head of Planning in consultation with the Lead Member will be able to amend the Local List accordingly. Details of any changes to the Local List could be recorded in the Council's annual Authority Monitoring Report.
- 4.9 A benefit of having a Local List in place means that heritage value is recognised early in the process and applicants and their agents can consider this in their proposals, with less likelihood of proposals needing to be revised that can currently occur when heritage value is only identified during the course of an application.

5. RISK

- 5.1. This document is intended to help developers, the public and decision-makers comply with local policy in the adopted Local Plan and national policy. It provides additional details on NDHAs and not having this document in place may result in the Council not delivering consistently assessing proposals which have an impact on NDHAs.
- 5.2. This document is open to challenge in the period immediately post adoption by the Council. Planning decisions that are made using this policy as a reason for refusal can be appealed and so this document could be scrutinised by Planning Inspectors. Nevertheless, the risk associated is minimal and outweighed by the need to issue further guidance.

² <https://historicengland.org.uk/images-books/publications/local-heritage-listing-advice-note-7/>

6. FINANCE

6.1. Approving the recommendations in this report does not create any additional financial implications for the Council.

7. LEGAL

7.1. Legal implications are covered in the body of the report. A further report will be presented to Cabinet following closure of the consultation period to consider the responses and take recommendations on the adoption of the list with appropriate minor amend delegations.

8. POLICY AND EQUALITIES IMPLICATIONS

8.1. No policy implications.

8.2. An Equalities Impact Assessment has been undertaken and is attached to this report. This shows no adverse impacts.

8.3. Any equality implications related to this report will be given consideration in a relevant and proportionate manner.

9. REASON FOR DECISION

9.1. Adopting the Rossendale Local List of Non-Designated Heritage Assets will enable the Council to ensure that these assets are protected and a consistent approach is taken in determining applications which may affect NDHAs.

Background Papers	
Document	Place of Inspection
Draft Rossendale Local List of Non-Designated Heritage Assets (December 2024)	Attached
Equalities Impact Assessment	Attached
Biodiversity Impact Assessment	Attached

Equality Impact Assessment

The council carry out Equality Impact Assessments (EIA) to analyse the effects of our decisions, policies or practices.

Throughout this document, policy refers to any policy, strategy, project, procedure, function, decision or delivery or service.

The EIA should be undertaken/started at the beginning of the policy development process before any decisions are made.

Policies are developed and reviewed using a consultative approach involving relevant internal and external stakeholders. Officers must consider what action needs to be taken to help overcome or minimise any disadvantages that people who share a protected characteristic will experience in compliance with the Equality Act 2010.

Name of policy:	Rossendale Local List of Non-Designated Heritage Assets
Lead officer name	Jacob Landers
Job title	Senior Planning Officer (Forward Planning)
Service area	Planning
Telephone contact	01706 252412
Email contact	jacoblanders@rossendalebc.gov.uk
Date Assessment commenced	22/04/24
Date assessment completed	17/12/24

The main aims/objectives of this policy are:

The Local List can be used to identify Non-Designated Heritage Assets (NDHA) and will act as a record of the historic environment within Rossendale. This will allow owners, decision makers, developers and relevant stakeholders to attain an understanding of the historic value of an asset before deciding on a course of action.

The identification of a property as a NDHA does not affect permitted development rights by default, nor does it introduce a requirement to apply for planning permission if works are proposed to an asset. However, if a planning application is required for works to, or that may affect, a NDHA then a written Heritage Statement will be required in order to understand any impact that the proposal may have on the asset so that it can be weighed in the planning balance.

Development proposals which result in the total or partial loss of a NDHA would need to be fully justified with comprehensive evidence as to why it is thought this loss outweighs potential harm.

Indicate the status of the policy or decision

New/proposed Modified/adapted Existing

Indicate protected characteristics have been assessed

Age	<input checked="" type="checkbox"/>	Disability	<input checked="" type="checkbox"/>	Gender reassignment	<input checked="" type="checkbox"/>
Religion/belief	<input checked="" type="checkbox"/>	Sexual orientation	<input checked="" type="checkbox"/>	Sex	<input checked="" type="checkbox"/>
Pregnancy/maternity	<input checked="" type="checkbox"/>	Race	<input checked="" type="checkbox"/>	Marriage or civil partnership	<input checked="" type="checkbox"/>

1. State any positive or negative impact on the protected characteristic(s) (added additional rows if needed)

Protected characteristic	Positive/Negative	How does it impact?
Age	Neutral	The benefits of the document would be equal as they apply to the public generally
Disability	Neutral	The benefits of the document would be equal as they apply to the public generally.
Religion/belief	Neutral	The benefits of the document would be equal as they apply to the public generally.
Race	Neutral	The benefits of the document would be equal as they apply to the public generally.
Pregnancy/maternity	Neutral	The benefits of the document would be equal as they apply to the public generally.
Sexual orientation	Neutral	The benefits of the document would be equal as they apply to the public generally.
Gender reassignment	Neutral	The benefits of the document would be equal as they apply to the public generally.
Sex	Neutral	The benefits of the document would be equal as they apply to the public generally.
Marriage or civil partnership	Neutral	The benefits of the document would be equal as they apply to the public generally.

2. Explain and give examples of any evidence/data used (add additional rows if needed)

Evidence	How does this have an impact on the protected characteristic?
N/A	N/A

3. Outcome of EIA

What course of action does this EIA suggest you take?	Please indicate
Outcome 1- The EIA has not identified any potential for negative impact on the protected characteristics. Progress to EIA approval – section 5	<input checked="" type="checkbox"/>
Outcome 2- The EIA has identified a possibility for negative impact on the protected characteristics. An EIA Action Plan must be completed to mitigate the negative impact – section 4 before approval section 5	<input type="checkbox"/>

4. EIA action plan

Based on the above impact assessment, findings/evidence and outcomes identified, please complete the Action Plan below. The action plan should address:

- Any gaps in findings/evidence research including any consultation or engagement regarding the policy and its actual/potential impacts
- How you will address any gaps
- What practical changes/action that will help reduce any negative impacts identified
- What practical changes/action that will help enhance any positive contributions to equality

Negative impact identified	Action required	Lead officer	To be completed

Monitoring and reviewing the effect of the policy

Please state how you will monitor the impact and effect of this policy

The Rossendale Local List of Non-Designated Heritage Assets will be monitored for effectiveness and relevance periodically, this will cover ensuring that the assets contained on the list are reflective of their status 'on-the-ground'

5. EIA approval (to be completed by the relevant Head of Service/Director)

- Outcome of EIA agreed/approved by Management Team: (date)
- Published on council website: (date)

Signed: (Head of Service/Director) (date)

BIODIVERSITY IMPACT ASSESSMENT

Name of Policy, Decision, Strategy, Service or Function, Other: (please indicate)	Rosendale Local List of Non-Designated Heritage Assets	
Lead Officer Name(s) & Job Title(s) :	Anne Storaah – Principal Planning Officer Jacob Landers – Senior Planning Officer	
Department/Service Area:	Planning	
Telephone & E-mail Contact:	01706 252418 and 01706 252412	
Date Assessment:	Commenced: 28/10/2024	Completed: 17/12/2024

The Council has a duty to protect and enhance biodiversity under the Environment Act 2021. This assessment must be completed for all key decisions included in the Forward Plan to analyse the effects of our decisions, policies or practices.

Stage 1 This stage determines whether a full assessment is required

1.1 Description of the proposed decision

To consider and approve the Draft Rosendale Local List of Non-Designated Heritage Assets (Local List).

1.2 Will the proposed decision have any impacts on the type, area (or length) or conditions of natural habitats within the Borough?

Yes No

If no, proceed no further if yes continue to stage 2

Stage 2 This stage helps understand whether any impact on biodiversity is positive or negative.

2.1 Will the proposed decision have a positive or negative impact on biodiversity? (A positive impact would increase the range of species or habitats or increase the protection of existing habitats, a negative impact would do the opposite.)

Positive Negative

2.2 Describe the impact, in particular drawing attention to scale. Also please state if the impact will affect a [Habitat or Species of Principal Importance](#), [Irreplaceable Habitat](#) (it is possible to check for those

on [PlanWeb](#) or [Magic](#) map) or if the project will affect a habitat or specie identified on Lancashire's Biodiversity Action Plans (please visit <https://www.lbap.org.uk/home.htm> for more information).

2.3 If the impact is positive you need go no further.

Stage 3 This stage allows any negative impact to be balanced against the other positive benefits of the proposed decision using the framework created by the wellbeing power set out in the Local Government Act 2000

3.1 **Indicate the benefits which will be delivered by this decision under the following headings. As far as possible quantify benefits (eg by jobs created).**

Economic

Environmental

Social

3.2 **Are there steps which are planned or could be taken to mitigate the impact on biodiversity (eg relocating certain species during building work, improving a natural habitat somewhere else to offset the impact of this project).**

Stage 4 This stage sets out the balance between the negative impacts on biodiversity and the other positive impacts so that Councillors can make an informed decision.

Positive impacts
(eg X jobs created)

Negative Impacts
(eg acres of habitat lost)