

CONSERVATION STRATEGY FOR ROSSENDALE BOROUGH COUNCIL

1. PURPOSE OF STRATEGY

1.1 The purpose of this document is to set out a strategic approach for the application of staffing resources towards the conservation of the historic built environment of the borough of Rossendale.

1.2 For the purposes of **this** document:

The historic built environment relates to the physical remains of previous man-made development that has survived to the present day.

Heritage refers to the values that are attached to particular places and buildings. These heritage assets make a contribution to local identity and distinctiveness.

Conservation refers to the process of actively managing these heritage assets. It often involves striking a balance between preservation and allowing change that will ensure the future survival of the asset

Preservation refers to the process of maintaining these heritage assets in an unaltered state in order to prevent its decay or destruction.

2. GENERAL NOTE

2.1 Government proposals for changes to heritage protection legislation include renaming statutory designations, however these are not progressing at present and so for the sake of simplicity this report uses the traditional names for heritage designations.

3. LISTED BUILDINGS

3.1 The recent appointment of dedicated conservation officers will provide improved guidance for the management of listed buildings to council officers, developers and the general community. Listed buildings are designated by the Secretary of State and protected through specific legislation which is exercised by local authorities. In Rossendale this control is the responsibility of the Planning Development Control Service. The Council has a duty to ensure that the register of listed buildings in the Borough is available for public inspection.

3.2 The definition of a building in this context is widely drawn. The controls also apply to other objects or structures (including other buildings) fixed to or within

the curtilage of a listed building. However listed building curtilages are not currently defined and whilst it is desirable that this uncertainty should be addressed, it will involve a considerable amount of work and is not considered to be a priority. Where immediately necessary, the conservation officers will make a determination on a case by case basis.

- 3.3 The conservation officers will conduct the assessments that are necessary to make the annual returns that are required by English Heritage. These indicate the state of repair of the more significant grades of listed buildings in each district. However, as recommended by English Heritage, the exercise will be extended to cover all listed buildings in the Borough. These are known as Buildings at Risk (B@R) Surveys and should be conducted every five years.
- 3.4 In order to facilitate the actions noted in 3.2 and 3.3 above, and to provide a baseline for future actions, the conservation officers propose to compile a database of the listed buildings in the Borough. In addition to the statutory list description, this will include a photographic record and visual condition survey, and will have the potential to include floor plans and archive information. This is necessary because the English Heritage data is not comprehensive or updated. There is scope for the involvement of local Councillors or amenity groups in the gathering of the necessary background and ongoing survey formation.
- 3.5 The conservation officers will prepare and publish guidance notes on the repair and management of listed buildings, for the benefit of their owners and occupiers. Such advice is also necessary should the Council wish to participate in any future schemes of grant aid that may become available as part of any wider regeneration programmes (see Heritage Funding Opportunities).

ACTION POINTS

- Ensure that there is a publicly accessible register of listed buildings in the Borough available at the One Stop Shop – by March 2010.
- Provide professional guidance on the determination of heritage related planning, listed building and conservation area consent applications and the determination of the extent of listed building curtilages, on a case by case basis - ongoing.
- Provide annual returns to English Heritage on Buildings at Risk – ongoing.
- Develop and populate a listed buildings database – by October 2011 with ongoing updates.
- Prepare and publish guidance notes on the repair and management of listed buildings – by October 2011 with ongoing updates.

4. CONSERVATION AREAS

- 4.1 The conservation officers will manage the implementation of a programme of conservation area appraisals and management plans.
- 4.2 Conservation areas are designated by the local authority. Government advice is that each designation should be reviewed from time to time and should have an up to date (not more than five years old) appraisal. The advice also suggests that a management plan should be prepared for each area. This should set out

the potential for enhancement schemes to be developed and indicate whether any additional planning controls (known as Article 4 Directions) are required. Such plans should be the subject of a public consultation exercise. Guidance on the preparation of appraisals and management plans has been issued by English Heritage.

- 4.3 As reported to Cabinet in March 2009, English Heritage has agreed in principle to provide financial support for the preparation of appraisals and management plans for those conservation areas that do not currently have them. A contract for this work is currently being let. It includes for comprehensive photographic records to be made of each area.
- 4.4 There are currently nine designated conservation areas within the Borough and a number of other areas have been identified for further evaluation and designation. An appraisal for Fallbarn has already been approved by Council in 2008 and a draft appraisal for Bacup is being prepared.
- 4.5 Any boundary changes resulting from the reviews (4.2 above) require a formal re-designation of the conservation area and publication of a legal notice in the local press and London Gazette, for which a budgetary provision exists.
- 4.6 Article 4 Directions are already in place for some conservation areas. They were written to reflect the Planning Regulations that applied at the time and should now be reviewed by the conservation officers to reflect the current regulations and the issues that are considered to be relevant to each area.
- 4.7 The conservation officers will conduct the assessments that are necessary to make the annual returns that English Heritage now requires. These indicate the scale of change that is taking place to the character of each conservation area.

ACTION POINTS

- Complete area specific public consultation exercises on the proposed boundary revisions for the Bacup Conservation Area Appraisal – by June 2010.
- Prepare a concise revised draft of the Bacup Conservation Area Appraisal incorporating the boundary review proposals for consideration by Cabinet – by September 2010.
- Prepare a short term management plan for Bacup Conservation Area for consideration by Cabinet – by January 2011.
- Manage the preparation of conservation area appraisals and management proposals plans by consultants – 4no. by July 2010 and 4no. by January 2011, and present reports on their adoption to Cabinet for approval.
- Re-designate as necessary any conservation areas following boundary reviews and formalise the adoption of conservation area appraisals – by October 2011.
- Assess the conservation area management proposal plans (including Article 4 Direction revisions) and present to Cabinet for adoption with an implementation programme – by July 2012.
- Identify and evaluate through preliminary appraisal any additional areas for subsequent designation as conservation areas – by July 2013.
- Provide annual assessment returns to English Heritage on Conservation Areas at Risk – ongoing.

5. ARCHAEOLOGY

- 5.1 The conservation officers will assist with the provision of necessary expertise when matters relating to archaeology are development considerations.
- 5.2 Scheduled Ancient Monuments are designated by the Secretary of State who also receives all applications to undertake works to them. However the local planning authority is obliged to take into account the impact that any development proposal may have upon a scheduled site.
- 5.3 Other archaeological matters are normally addressed by the County Council. Historic Town Assessments have been conducted for certain towns within the Borough and this information is recorded in the Historic Environment Record.

ACTION POINT

- Provide professional guidance on archaeological issues relating to the determination of planning applications on a case by case basis - ongoing.

6. HISTORIC ENVIRONMENT RECORD (HER)

- 6.1 The conservation officers will provide assistance with the interpretation of the local HER. This is a database of all the heritage related information within an area that the Government has advised all local authorities to provide or have access to. Developers are recommended to consult the HER as part of their initial assessments of sites when developing proposals. Special considerations may apply to planning applications that affect sites identified in the HER. Within Rossendale the relevant HER is managed by Lancashire County Council.

ACTION POINT

- Ensure that the Planning Control Service has access to and that potential developers are aware of the Lancashire County Historic Environment Record – by April 2010.

7. HISTORIC PARKS and GARDENS

- 7.1 These are identified and designated by English Heritage. Although there are no additional controls on these areas, special considerations apply to planning applications that affect these areas and the conservation officers will provide any necessary guidance for such sites. Whitworth Cemetery, which is managed by Rossendale Borough Council, is currently the only site in the Borough on the English Heritage Register and is grade II. It is significant as being one of only 106 cemeteries on the Register.
- 7.2 It is also recognised practice to identify locally important historic parks and gardens, usually through the local plan or a heritage based Supplementary Planning Document (SPD). It is not uncommon for a local authority to designate a conservation area that recognises the significance of a historic park if there is sufficient built heritage to justify such an action. Where it is considered

appropriate, the conservation officers will provide the necessary guidance and advice on these matters.

ACTION POINT

- Provide professional guidance on the heritage aspects of the management of Whitworth Cemetery on a case by case basis - ongoing.

8. LOCALLY IMPORTANT BUILDINGS

- 8.1 Through the Heritage Protection White Paper the Government has encouraged local planning authorities to identify buildings and structures that contribute to local distinctiveness and character but which are not the quality necessary to justify statutory recognition. These 'Locally Listed' or 'Locally Important Buildings' are usually recognised through a local plan policy or a heritage based SPD. English Heritage has indicated that it will be producing guidance upon this subject in the near future. Whilst it would be prudent to await this guidance before deciding whether to prepare a 'Local List' for the Borough, the conservation officers will be gathering any background research that becomes available from local societies and archives.

ACTION POINTS

- Hold any information that becomes available on the general heritage of the area and its buildings in a database – ongoing.
- Advise members once the English Heritage guidance on Locally Important Buildings (anticipated October 2010) has been published – December 2010.

9. LOCAL AUTHORITY OWNED HERITAGE ASSETS

- 9.1 The government recommends that local authorities should have an asset management plan. English Heritage has produced specific guidance to assist with the management of local authority owned heritage assets, which are expected to be exemplars. These include aspects of the wider public realm as well as historic and listed buildings. The conservation officers will provide internal guidance on the development of such plans for the Borough's heritage assets and will liaise with the County Council regarding similar plans for their assets within the Borough.

ACTION POINTS

- Liaise with Property Services to ensure that all Borough owned heritage assets are covered by a management plan – by September 2010.
- Liaise with Lancashire County Council to ensure that all their heritage assets within the Borough are covered by a management plan – by September 2010.

10. HERITAGE FUNDING OPPORTUNITIES

- 10.1 There are a number of grant aid schemes relating to the heritage sector, mainly provided by English Heritage and the Heritage Lottery Fund, although some are provided by charitable bodies. The conservation officers will regularly monitor

such schemes and evaluate their relevance to projects, buildings and areas within the Borough.

- 10.2 The current most relevant grant scheme is considered to be the Townscape Heritage Initiative (THI), run by the Heritage Lottery Fund. This is a programme that helps local communities regenerate conservation areas through a grant aid scheme for repairs and public realm enhancements. Applications are assessed on a phased basis and the deadline for First Round applications is normally at the end of each November. Decisions are made in April and success provides a development grant to support the preparation of the Second Round submission. Schemes normally run for five years. English Heritage has signalled that it would support an application for a THI from the Council at some date in the future, specifically aimed at Bacup Town Centre. However it is recognised that the Council's match funding commitment will have to be considered alongside other competing priorities in Budget setting. Conservation officers will play a significant role in the preparation of any bids for, and the subsequent management of, such schemes.

ACTION POINTS

- Monitor heritage funding opportunities and evaluate their relevance to projects, buildings and areas within the Borough – ongoing.
- Prepare a report for Cabinet on the implications of bidding for a Townscape Heritage Initiative – by July 2010.

11. LOCAL DEVELOPMENT FRAMEWORK (LDF)

- 11.1 With the preparation of the Core Strategy, there is opportunity to consider the preparation of specific heritage related Local Development Documents. These could include development briefs for sites within conservation areas and design guidance on specific topics such as shop front design, doors and windows and their preparation will be led by the conservation officers. These will be added to the LDF as appropriate.

ACTION POINTS

- Provide support for the preparation of development briefs for sites within conservation areas as necessary – ongoing.
- Provide design guidance on specific conservation/heritage related topics that emerge as issues during the preparation of the LDF – ongoing.

12. TRAINING

- 12.1 Effective protection and enhancement of historic environments involves a wide range of professionals and decision makers including Council Members, planners, highways engineers, regeneration professionals and others. There is an opportunity for the conservation team to provide training which will help support the decision making process; this could be in the form of presentations, seminars or site visits. In addition a number of potential partner organisations run dedicated training, such as the 'Building in Context' programme run by English Heritage and CABE.

ACTION POINTS

- Prepare a 'conservation and design' based training event for all members of the new Development Control Committee (accessible to all interested members and officers) for the Council year 2010/2011 – by September 2010.
- Make details of external 'conservation and design' based training events known to members as they become available – ongoing.

13. HISTORIC ENVIRONMENT and DESIGN CHAMPIONS

13.1 The Government has urged local authorities to appoint champions for the historic environment. These are members (ideally from Cabinet) or senior management officers (not the practicing officer) within a local authority whose role is to provide leadership for heritage issues within the authority. English Heritage has provided guidance for such appointees and further support is also available from other organisations. There is a parallel role for Design Champions, who are supported by the Commission for Architecture and the Built Environment (CABE). In smaller authorities these roles are often held by the same individual. It would be useful for the Council to consider the appointment of such Champions for Rossendale.

ACTION POINT

- Prepare a briefing note for Cabinet to determine whether or not to appoint Historic Environment and Design Champions – by September 2010.

14. HERITAGE and DESIGN AWARD

14.1 The conservation officers will be considering the possibility of introducing an award scheme to recognise good examples of heritage related development. This is a proven mechanism for engaging public interest in heritage and design issues that has been used successfully in a number of other local authorities. The selection process can involve the general public, with nominations invited in various categories through the local press, an awards ceremony and plaques fixed to winning projects.

ACTION POINT

- Prepare a briefing note for Cabinet on the feasibility of running a Heritage and Design award scheme – by September 2010.

15. PROMOTION and PUBLICITY

15.1 The conservation team will seek to promote understanding of heritage legislation (conservation areas, listed buildings) and related issues beneficial to the conservation and enhancement of the historic environment. This can be achieved partly through the publication of advice, for instance on the councils' website and also through working with owners and residents, and in partnership the Civic Trust and other local voluntary agencies with an interest in

Rossendale's built heritage. The team will seek to establish a good working relationship with the local press.

ACTION POINT

- Make contact and establish working relationships with owners and residents, appropriate local interest groups and other parties within the Borough – by September 2010.

16. ENFORCEMENT CONTROL

- 16.1 There is no time limit for the pursuit of action against unauthorised alterations to a listed building. Initial research has identified a number of listed buildings that appear to have been altered externally. Many internal alterations, about which officers will be less aware, also require consent. Where a property comes to the market, a solicitor will normally ensure that appropriate consents are in place for such work before proceeding with a conveyance. It is therefore in the interest of a property owner to ensure that they have the necessary consents. Further work will be needed to determine which cases can be considered for enforcement action but as a matter of course, only minor transgressions should normally be ignored.
- 16.2 An audit of the effectiveness of the current Article 4 directions should form part of the conservation area appraisals. The photographic record that is being prepared for each area will assist in this exercise. Existing Directions need to be reviewed regularly and re-served to take account of any changes to the General Planning Development Order. Further guidance on the issue of Article 4 Directions is expected with Planning Policy Statement 15 which is due out shortly. It has to be recognised that it may not be practical to enforce all the transgressions that become known. However the most obtrusive cases should always be fully investigated and it will be necessary to allow professional officers to form a view on each individual case.

ACTION POINTS

- Using photographic records and other available material; assess the changes that have occurred to historic buildings and conservation areas and prepare an evaluation of those cases where sufficient harm has been done to the character and appearance of the property to consider enforcement action – ongoing.
- Assess the effectiveness of existing Article 4 Direction and prepare any necessary additions or revisions to present to Cabinet – by July 2012.

ACTION POINTS – specific action issues in addition to standard and ongoing advice, guidance, recording, training and control work.

	2010												2011												2012						
	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07	08	09	10	11	12	01	02	03	04	05	06	07		
Listed Buildings																															
Public register	X																														
Database complete																						X									
Repair & Management guidance available																						X									
Conservation Areas																															
Bacup boundary review		X																													
Bacup appraisal at Cabinet							X																								
Bacup Management Plan at Cabinet											X																				
Consultant based appraisal final drafts completed											X																				
Boundary review re-designations at Cabinet																						X									
Management Proposal Plan reports at Cabinet (inc Article 4 Directions)																													X		
Evaluate additional conservation area designations (beyond programme – estimated July 2013)																															
Historic Environment Record																															
Ensure accessible	X																														
Locally Important Buildings																															
Report English Heritage guidance to Cabinet											X																				
Local Authority owned Heritage Assets																															
Ensure management plans prepared							X																								
Townscape Heritage Initiative																															
Report implications to Cabinet		X																													
Members																															
Training event							X																								
Champions report to Cabinet							X																								
Heritage and Design Award																															
Issues report to Cabinet							X																								
Promotion and Publicity																															
Establish contacts							X																								
Enforcement																															
Gather evidence and evaluate changes requiring additional or revised Article 4 Directions																													X		