

**Flintshire Local Development Plan Examination in Public Scheduled  
Hearing 14 May 2021:**

**Matter 15: Buildings of Local Interest: Policy EM10**

**Objection by Huw Evans Planning**

**1.0 Reasons for the Objection**

- 1.1 The principle of establishing a list of buildings of local interest is supported. The reason for the objection is that the process by which they are identified does not comply with guidance and consequently the policy will carry little, if any, weight. This renders the policy undeliverable making the Plan unsound. Addressing these issues will assist the planning authority in effectively managing its local historical assets which are not protected under statutory regulation.

**2.0 Evidence in support of the objection**

- 2.1 The council has a list of local buildings of interest but this is not freely available. Neither has the list been subject to consultation or formally adopted by the council and the manner and process by which the list has been compiled is unknown.
- 2.2 In not accepting the objection the council refer to PPW (paragraph 6.1.27 of PPW11) where it states; "*Planning authorities may develop lists of historic assets of special local interest, that do not have statutory protection, but that make an important contribution to local distinctiveness and have the potential to contribute to public knowledge. Where a planning authority chooses to identify historic assets of special local interest, policies for the conservation and enhancement of those assets must be included in the development plan*". Whilst this correctly forms the basis for a policy it must be assumed in PPW that the list has in the first place been properly compiled. This is also supported in TAN24 which advises that if a local planning authority chooses to identify historic assets of special local interest, it must include policies for their preservation and enhancement in the local development plan. It also refers to supplementary planning guidance linked to such policies being a material consideration in the planning process which can provide an effective tool for the management of historic assets of special local interest.
- 2.3 Significantly, TAN24 is supplemented CADW's guidance 'Managing Lists of Historic Assets of Special Local Interest in Wales'. This provides guidance on the following matters:
  - **Developing Selection Criteria** - To establish a firm foundation for a local list, it is essential to have clear criteria that have been subject to public consultation and formally adopted.

- **Partnership** - A strong partnership between local authorities and the community is well-placed to identify historic assets of special local interest and curate a list that does justice to local heritage. Potentially, town and community councils, local groups, civic and history societies, schools and colleges, and independent volunteers all have a role to play.
- **Supporting Evidence** - Local lists must be based on accurate and reliable evidence. Recommendations should be supported by information of sufficient detail and accuracy to demonstrate that the selection criteria have been met. A template for the recording of information may be helpful.
- **Validation** - It is the responsibility of the local planning authority to validate sites for inclusion on a list of historic assets of special local interest. Validation can be carried out internally by local planning authority conservation staff supported by a conservation advisory panel if it already exists. Failing that a special selection panel could be established, drawing on local history, architecture, archaeology and conservation experts, members of amenity societies and representatives of the local community. Nominations should be assessed against the agreed criteria. There is also reference to public consultation.
- **Notification, Consultation and Review** - When the local planning authority is minded to include historic assets on a local list, it should consult with the owners/occupiers and give them an opportunity to put their views forward. If the local planning authority wishes to go ahead and include a historic asset, the owner/occupier should be given the opportunity to ask for a review of the decision.
- **Adoption** - When the nominated historic assets have been validated, the local planning authority should formally adopt the list through council procedure. Once formally adopted, the local planning authority should use the local list as part of the evidence base to inform the local development plan.
- **Supplementary Planning Guidance** - Further supporting guidance amplifying local development plan policies on local historic assets could be included as supplementary planning guidance.
- **Access to Information** - It is important that lists of historic assets of special local interest are freely available and accessible. Local libraries and local planning authority websites are also good places to host copies of the local list.

### 3.0 Conclusion

3.1 The current list has not been prepared in accordance with national planning guidance. It therefore carries little, if any, weight for development management purposes until it has been reviewed and subject to the required processes above. The policy is inherently unsound until the required procedure has been followed through to formal adoption of the list by the council.

