

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 26 April 2024

Report Title

Rotherham Local Heritage List

Is this a Key Decision and has it been included on the Forward Plan?

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Andrew Bramidge, Interim Strategic Director of Regeneration and Environment

Report Author(s)

Jon Bell, Assistant Conservation Officer
01709 823811 or jon.bell@rotherham.gov.uk

Ward(s) Affected

Borough-Wide

Report Summary

South Yorkshire was one of the areas selected by the Department of Levelling Up, Housing & Communities (DLUHC) to deliver a joint working project to develop a South Yorkshire Local Heritage List, with the South Yorkshire Archaeology Service leading the project. However, the final decision on the establishment of the list of assets lies at each authority's discretion.

The Cabinet has previously agreed the decision is delegated to the Head of Planning and Building Control, in consultation with the Cabinet Member for Jobs and the Local Economy, accepting the recommendations of the South Yorkshire Local Heritage List Assessment Panel to include the specified assets as part of the Rotherham Local Heritage List (Cabinet 17 October 2022, minute 61 refers).

A total of 76 heritage assets within Rotherham have been deemed to meet the selection criteria so are worthy of inclusion on the South Yorkshire Local Heritage List and Rotherham Local Heritage List, as shown in Appendix 1.

In addition to this, the locally significant heritage assets identified in those Neighbourhood Plans adopted by the Council also form part of the Rotherham Local Heritage List.

The heritage significance of buildings or structures on the Rotherham Local Heritage List would be a material consideration when determining planning applications, in line with Local Plan Policy SP45 (Locally Listed Buildings).

Recommendations

1. That the 76 heritage assets identified in Appendix 1 be adopted as the first heritage assets on the Rotherham Local Heritage List, and that the four heritage assets where there are objections be reported back to the assessment panel for review.
2. To agree that the locally significant heritage assets identified in the Borough's adopted Neighbourhood Plans also form part of the Rotherham Local Heritage List.

List of Appendices Included

Appendix 1 Rotherham Heritage Assets approved by the SY Assessment Panel

Appendix 2 Rotherham Local Heritage List Consultation Report (March 2024)

Appendix 3 South Yorkshire Local Heritage List – Assessment Criteria

Appendix 4 South Yorkshire Local Heritage List – Assessment Process Terms of Reference

Appendix 5 Equality Part A – Screening

Appendix 6 Carbon Impact Assessment

Background Papers

National Planning Policy Framework

<https://www.gov.uk/guidance/national-planning-policy-framework>

Rotherham Local Plan 2013-2028

<https://www.rotherham.gov.uk/planning-development/guide-local-plan/1>

Local Heritage Listing: Identifying and Conserving Local Heritage (Historic England)

<https://historicengland.org.uk/listing/what-is-designation/local/local-designations/>

Local Heritage List Campaign: Announcement of Successful Areas

<https://www.gov.uk/government/publications/local-heritage-list-campaign-call-for-expressions-of-interest/local-heritage-list-campaign-guidance>

South Yorkshire Local Heritage List website

<https://local-heritage-list.org.uk/south-yorkshire>

Cabinet Report on Rotherham Local Heritage List (17 October 2022) – Item 61

<https://moderngov.rotherham.gov.uk/ieListDocuments.aspx?CId=1103&MId=15663&Ver=4>

Consideration by any other Council Committee, Scrutiny or Advisory Panel
N/A

Council Approval Required
No

Exempt from the Press and Public
No

Rotherham Local Heritage ListRotherham Local Heritage List

1. Background

- 1.1 Local Authorities are encouraged to maintain Local Heritage Lists that identify heritage assets (such as buildings, parks & gardens, archaeological sites, etc.) that are valued by the local community. Such assets can then be better considered in the planning process when new development is proposed. Local listing provides no additional planning controls, however it will assist the Council to comply with national planning policy provisions regarding both archaeology and the historic built environment, including a requirement to ensure the use of up-to-date evidence, thereby protecting sites of value.
- 1.2 South Yorkshire was one of the areas selected by the Department of Levelling Up, Housing & Communities (DLUHC) to deliver a joint working project to develop a South Yorkshire Local Heritage List, with the South Yorkshire Archaeology Service leading the project. However, the final decision on the establishment of the list of assets lies at each authority's discretion.
- 1.3 Cabinet has approved the process that allows the nominated heritage assets in Rotherham to be assessed collectively and then included in the South Yorkshire Local Heritage List. The Historic England advice note on Local Heritage Listing (Local Heritage Listing: Identifying and Conserving Local Heritage) recommends a process, which has been adopted in Rotherham and the rest of South Yorkshire. The criteria and process are fully explained in Appendices 3 and 4.
- 1.4 The Council has written to all the owners of buildings that have been recommended by the South Yorkshire Assessment Panel to be included in the Rotherham Local Heritage List (see Section 4).

2. Key Issues

South Yorkshire Local Heritage List

- 2.1 Since its launch in 2022, the South Yorkshire Local Heritage List has generated a significant level of public interest. The table below shows the number of items that have been submitted across the whole of South Yorkshire.

Local Authority Area	No. of assets submitted (includes Conservation Areas)	Assets reviewed and accepted by the Panel	Assets rejected by the Panel	Assets returned to the Panel*	Local List Assets (Total as of March 2024)
Rotherham	124	96	16	4	76
Sheffield	214	139	11	16	139
Barnsley	87	57	3	9	57
Doncaster	148	75	17	10	75

* In the cases of Sheffield, Doncaster and Barnsley, these have been returned and confirmed as Local List items. Rotherham's (4) will be re-assessed as part of the next round of assessment.

- 2.2 The South Yorkshire Assessment Panel has endorsed these assets as being of Local Heritage Sites value. The approval of these sites as Local Heritage Sites and integration of their boundary into the Local Plan will ensure that relevant planning policies are considered in the determination of planning applications relating to the assets.
- 2.3 It is also important to note that the South Yorkshire Local Heritage List initiative is not the only method by which locally significant heritage assets are being identified.

Neighbourhood Plan - Locally significant heritage assets

- 2.4 A statutory form of Neighbourhood Planning was introduced in England by the Localism Act 2011. This allowed designated qualifying bodies to produce a Neighbourhood Development Plan setting planning policy for the relevant neighbourhood. Included within Neighbourhood Planning is the possibility of identifying and protecting by policy, locally significant heritage assets.
- 2.5 There are three neighbourhood plans in Rotherham to date: Dinnington, Wickersley, and Maltby. All have been through the statutory process and are now formally adopted as part of the Development Plan for the borough of Rotherham.
- 2.6 The adopted Neighbourhood Plans include lists of locally significant heritage assets which will by default form part of the Rotherham Local Heritage List.

3. Options considered and recommended proposal

3.1 Option 1: approve the Rotherham assets in the South Yorkshire Local Heritage List together with the heritage assets identified in Neighbourhood Plans into the Rotherham Local Heritage List.

The South Yorkshire Local Heritage Sites Assessment Panel is an expert conservation panel that has assessed these sites in accordance with the agreed, externally verified methodology, using new knowledge obtained. The assets' approval and integration into planning policy would contribute to the robustness of the Local Plan.

3.2 Option 2: do not include the Rotherham assets in the South Yorkshire Local Heritage List as part of the Rotherham Local Heritage List

Not including the valued assets would mean a significant gap in what is a South Yorkshire project. These items have been identified by members of the public and agreed by the South Yorkshire Assessment Panel as meriting inclusion. The Council would not be abiding by the relevant central government advice and the previous commitment to maintaining an up-to-date system. The heritage assets identified in the Neighbourhood Plans would be the only assets in the Rotherham Local Heritage List and they are limited to certain neighbourhood areas within the borough.

3.3 Option 1 is the recommended option.

4. Consultation on proposal

- 4.1 The selection and assessment of the South Yorkshire list includes a four week public consultation period on all candidates that are put forward by public nomination. All information is available on the website which allows errors or mistakes in supporting information to be identified. Community input is also sought for the assessment process, with members of relevant local societies being invited to participate in the assessment panel. However, the adopted process does not include consultation with owners of these potential Local List items. It was agreed early on that this would be the responsibility of the individual Local Authorities after the assessment had taken place.
- 4.2 In Rotherham, a three week consultation process has been undertaken with owners of heritage assets seeking their comments on both factual details included in their building's descriptions and the reasons the Assessment Panel for their inclusions on the list. Where ownership was found to be uncertain, the Land Registry was used to trace the owners of land and buildings. The use of the Land Registry was not a step taken by the other three South Yorkshire authorities. By taking this extra step, the Council has managed to identify the owners of almost all of the recommended items. As well as written responses, all phone comments have also been logged.
- 4.3 All representations received have been considered and the Consultation Statement at Appendix 2 provides details of the issues raised and the Council's response.
- 4.4 The vast majority of comments have been positive in that their recognition often vindicates the amount of time, money and effort that has gone into many of these assets. Some owners were initially concerned that inclusion on the list may severely constrain what they can do with their properties however these concerns have been allayed.
- 4.5 There is the future potential for imposing Article 4 Directions on some or all the Local List assets to, for example, prevent their demolition. However, this is for further consideration and would require a separate legal process and subsequent consultation exercise.
- 4.6 The conclusion from the exercise was that there was no objection to 76 of the heritage assets being added to the Rotherham Local Heritage List. For four of the assets there are written objections to their inclusion, namely,
- Site of Former Hard Mill, Hard Lane, Kiveton Park
 - Herringthorpe Hall Farm Cottages
 - Quay Furniture warehouse, Bridge Street, Rotherham
 - Sherwood House, Sherwood Crescent, Wellgate
- 4.7 In the case of these four, it has been made clear that any objection to inclusion on the Local List should be heritage-based. The owners have been invited to make a heritage case for exclusion. This will then be taken back to the assessment panel for reconsideration, which would be the most transparent way of addressing the concerns. If the Assessment Panel

considers the items still worthy of Local Listing, they will be reported in due course.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The project is being delivered by the South Yorkshire Archaeological Society (SYAS) as a regional planning partnership for South Yorkshire. SYAS reports to a Joint Advisory Committee, made up of members of the four local authorities and key community groups on an assessment panel.
- 5.2 As this has previously been approved by Cabinet, officers in the Planning Service are responsible for implementing the adopted process for the Rotherham Local Heritage List and feeding into the overall South Yorkshire project. At present, the initiative is due to run to the end of March 2025 and will then be reviewed on an annual basis.

6. Financial and Procurement Advice and Implications

- 6.1 There are no direct procurement implications arising from the recommendations detailed in this report.
- 6.2 The production of a Local Heritage List including specifically the aspects for Rotherham including the relevant processes will be funded from existing approved budgets.

7. Legal Advice and Implications

- 7.1 Agreement with the officers' recommendations in the report would assist in safeguarding local heritage assets in the community. Local Heritage listed assets would be a material consideration when determining planning applications as set out in paragraph 203 of the National Planning Policy Framework (2023).

8. Human Resources Advice and Implications

- 8.1 The proposals do not have a direct impact on current staffing resources.

9. Implications for Children and Young People and Vulnerable Adults

- 9.1 There are no direct implications arising from the report. The Local Heritage List project presents an opportunity for young people to engage with their local environment and nominate buildings they feel should be valued and protected.

10. Equalities and Human Rights Advice and Implications

- 10.1 The Rotherham Local Heritage List will help to deliver the policies set out in the Local Plan. Specifically, it will implement the commitment in Policy SP 45 Locally Listed Buildings to produce and maintain a local list.

- 10.2 The published Integrated Impact Assessments (IIA) that supported the preparation, examination and adoption of the Rotherham Local Plan provide a comprehensive Equalities Assessment of all the policies of the Local Plan.
- 10.3 Both public and private interests are to be considered in the exercise of the Council's powers and duties. The Council must, therefore, carefully consider the balance to be struck between individual rights and the wider public interest in protecting heritage assets that have a local special interest, which contributes to the character and local distinctiveness of the area.
- 10.4 The Equality Impact Assessment Screening is completed as shown in Appendix 5.

11. Implications for CO2 Emissions and Climate Change

- 11.1 Local listing of sites and buildings, where it leads to their retention, can help to address the climate emergency by negating the need for demolition and new development, which are processes that use significant amounts of energy and result in emissions.
- 11.2 In the long term, it can be more difficult to achieve high levels of energy performance in older buildings than in new builds. There are therefore potentially either positive or negative effects, and schemes will need to be assessed at the relevant Planning and Building Regulations application stage in terms of their compliance with the Council's policies.
- 11.3 The Carbon Impact Assessment is completed as shown in Appendix 6.

12. Implications for Partners

- 12.1 Adoption of the Rotherham Local List will ensure consistency with the approach to local heritage listing by all the South Yorkshire local authorities.

13. Risks and Mitigation

- 13.1 The level of protection afforded by local heritage listing depends on how the local heritage list is prepared. The more robust the basis for the addition of an asset to the local heritage list, the greater the weight that can be given to preserving the significance of the asset. Publication of clear selection criteria that relate to the definition of significance in the National Planning Policy Framework to support the listings, is essential to achieving effective protection.
- 13.2 A particular asset may only be identified when a planning application comes forward, in which case its significance can be assessed against the published selection criteria, and it may be treated as a non-designated heritage asset in the decision-making process. It is good practice to regularly review and update the local heritage list, at which point any newly identified assets meeting the selection criteria can be added.

14. Accountable Officers

Simon Moss, Assistant Director – Planning, Regeneration and Transport

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	Click here to enter a date.
Head of Legal Services (Monitoring Officer)	Phil Horsfield	Click here to enter a date.

Report Author: [Jon Bell, Assistant Conservation Officer](#)
[01709 823811](tel:01709823811) or jon.bell@rotherham.gov.uk

This report is published on the Council's [website](#).