

<b>Subject:</b>	Conservation Area Appraisals, Boundary Reviews and Management Proposals Plans	<b>Status:</b>	For Publication
<b>Report to:</b>	Cabinet	<b>Date:</b>	31 <sup>st</sup> August 2011
<b>Report of:</b>	Planning Manager	<b>Portfolio Holder:</b>	Regeneration
<b>Key Decision:</b>	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception <input type="checkbox"/>	Special Urgency <input type="checkbox"/>
<b>Community Impact Assessment:</b>	Required: No	Attached:	No
<b>Biodiversity Impact Assessment</b>	Required: No	Attached:	No
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1.	<b>RECOMMENDATION(S)</b>
1.1	That the Conservation Area Character Appraisals for the Conservation Areas of Goodshawfold, Loveclough Fold and Whitworth Square, be adopted as material considerations for development control purposes with effect from 1 <sup>st</sup> September 2011.
1.2	That authorisation be given for the recommended actions within the related Management Proposals Plans to be developed, and where necessary, brought back to Council for specific approval for their incremental implementation as resources allow, including the re-designation of Conservation Area boundaries where these are recommended within these documents.
1.3	All future minor amendments to the Appraisals and Management Proposals Plans to be delegated to the Director of Business in consultation with the Portfolio Holder.

## 2. PURPOSE OF REPORT

- 2.1 To seek authorisation for the adoption, as material planning considerations, three in a series of Conservation Area Character Appraisals, and to authorise, as resources allow, the gradual implementation of the recommended actions within the Management Proposals Plans associated with the Appraisals, including the re-designation of Conservation Area boundaries as recommended within the documents. Some of these actions will require further specific approval from Council.
- 2.2 The relevant documents are available in hard copy in the Members Library and pdf versions will be made available on the Council's web site and directly to members on request.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
  - **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
  - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- Development Control. Failure to have a full set of adopted and up to date

Conservation Area Appraisals will have an adverse impact upon the management of development within the Borough's designated Conservation Areas.

- Resources. The delivery of some of the recommended actions in the Management Proposals Plans will depend upon the availability of resources, including finance. However these are generally the medium to long term proposals. Although competition will be strong, Section 106 monies and grant aid may be available for some actions, especially if there is the involvement of a local community group. Adopted Appraisals and Management Proposals Plans are often essential requirements for applications for heritage related grants (including Heritage Lottery funding). Re-designations following the boundary review must be advertised in the local press and London Gazette and have minor budget implications.

## **5. BACKGROUND AND OPTIONS**

- 5.1 Since they were first introduced in 1967, it has been the duty of a local planning authority to “determine which parts of their area are areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” and to designate them as conservation areas. The duties also involve their regular review, particularly of the boundaries and clearly setting out the reasons behind each designation. It has been government policy for some time to recommend that these reasons are detailed within Conservation Area Appraisals. Finally there is a duty to manage these areas, including the preparation of proposals for their preservation and enhancement – known as Management Proposals Plans – and to consult upon them.
- 5.2 Since the Council lacked the necessary Appraisals and Management Proposals Plans, in 2009 it made a successful application to English Heritage for financial support towards their preparation. This required the series of documents to be prepared by a specialist consultant, selected following competitive tender. For staffing reasons the contract was not let until early 2010. The documents which form the contract output are being prepared in tranches and the first three (Goodshawfold, Loveclough Fold and Whitworth Square) are now ready for formal adoption; following a period of public consultation, which resulted in some minor modifications to the original documents (see Appendix A).
- 5.3 Boundary changes have been recommended for each of the Conservation Areas. The recommended boundary changes were included in the relevant consultation exercises and did not draw any adverse comments. Some of the proposed boundary changes are minor to correct anomalies with previous mapping; others are necessary because of character changes to the area and include the deletion of some properties from the designations. However some significant extensions are proposed to the existing conservation areas of Loveclough and Whitworth Square.
- 5.4 The existence of the consultation draft Appraisals and boundary review recommendations will be material considerations in the future consideration of any planning proposals affecting these areas, but the formal adoption of these recommendations will give them the significant weight that is required by Planning Inspectors.
- 5.5 The Management Proposals Plans for each area also address issues that have arisen during the exercise, including the consultation exercise. Some of the recommended actions are low cost, some involve better working practices between departments and authorities, some involve taking on stronger control powers (Article 4 Directions) and some are longer term matters that will require investment. It is recommended that these are only implemented as resources allow and this was clear in the consultation documents. The Council already has Article 4 Directions in place for some of its Conservation Areas but these all need to be reviewed and probably remade.
- 5.6 Members may wish to note that the final documents for a further 5 Conservation Areas are being prepared and should be available for future cycles of meetings. Work is well underway on the final study, for Bacup Town Centre, and it is proposed that this is completed in time for

public consultation to begin in September. The preparation of a consultation draft Appraisal, which will allow the designation of Haslingden Town Centre as a Conservation Area (a commitment in the Council's Open Space Strategy) is also part of the contract and must be completed before the end of August.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

6.1 There are no material financial implications for Council.

**7. MONITORING OFFICER**

7.1 The legislation requires that changes to the conservation areas boundaries will need to be advertised in the London Gazette, a local newspaper and registered in the local land charges register.

**8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

8.1 There are no Human Resources implications.

**9. CONSULTATION CARRIED OUT**

9.1 The various public consultation exercises undertaken between April 2010 and April 2011 are detailed in the documents that are recommended for adoption.

NB. This approach was agreed by the previous portfolio holder.

9.2 Policy Overview and Scrutiny Committee requested that the need for specific Council approval to implement some of the recommended actions be expressed clearly in the report recommendations.

**10. CONCLUSION**

10.1 It is essential that each designated conservation area has an up to date Appraisal and that its boundaries are regularly reviewed. Similarly the preparation of a Management Proposals Plan is a statutory duty. Comments received during the public consultation exercise have been taken into account in the preparation of these final documents. Whilst the documents have been written to reflect to existing boundaries so that they are currently valid, they record the implications of the recommended boundary changes and will be easily adapted once any re-designations, which will require specific Council approval, take place.

**Background Papers**

Document	Place of Inspection
Understanding Place: Conservation Area Designation, Appraisal and Management	English Heritage web site
Goodshawfold Conservation Area Character Appraisal and Management Proposals Plan	Rosendale BC, Development Control, One Stop Shop, Lord Street, Rawtenstall, BB4 7LZ and Rosendale Borough Council web site
Loveclough Fold Conservation Area Character Appraisal and Management Proposals Plan	
Whitworth Square Conservation Area Character Appraisal and Management Proposals Plan	

## APPENDIX A

### CONSERVATION AREA CHARACTER APPRAISALS AND MANAGEMENT PROPOSALS PLANS PUBLIC CONSULTATIONS REPORT March 2011

#### Phase 1 - Loveclough Fold, Goodshawfold and Whitworth Square Conservation Areas

##### LOVECLOUGH FOLD CONSERVATION AREA

No comments received

##### GOODSHAWFOLD CONSERVATION AREA

Ref. No	Respondent	Summary of responses	Comment	Proposed action
1	Mrs S Newton	(i) Add an important view the view from Burnley Road over the whole village	Agreed	Add to the text where appropriate
		(ii) The preservation or enhancement of the views over the village must be stressed and brought out more in the Appraisal and Management Options Plan. Also, add the preservation of the Limy Water and the provision of visitor information (as has been suggested at Loveclough Fold CA)	Agreed	Add to the text where appropriate
		(iii) Notes that a big issue is the possible undergrounding of the existing overhead cables at the rear of Spring Terrace - this should be done in conjunction with the provision of cable TV, to remove the need for satellite dishes	Agreed	Add to the text where appropriate

##### WHITWORTH SQUARE CONSERVATION AREA

Ref No.	Respondent	Summary of responses	Comment	Proposed action
1	Whitworth Parish Council	(i) Resolved at their meeting on 10 March 2011 to support the recommendations in the document	Noted	No further action
2	Mrs M Jackson  (owner of Horsecroft Farm)	(i) Agrees with Key Characteristics  (ii) Agrees with the Management Proposal Actions. Says, as owners of the listed barn in Taylor Street, that they would be happy to accommodate the lamp-post inside the farmyard if that would help. Notes that there are now at least 8 wheelie bins permanently located along the gable end of the barn	Noted  Noted. The relocation of the lamp post will have to be discussed with Lancashire County Council as highways authority.	No further action  Ensure that LCC are informed of this offer. Add to the text where appropriate
		(iii) Details the problems with the street drainage and flooding - blocked gulleys etc. Also notes that loose chippings are washed down in heavy rain and fill-up the gulleys. An abandoned car with flat tyres adds to the general air of neglect	Noted. The car has since been moved.	Strengthen the existing text to emphasis these problems

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