

Subject:	Conservation Area Appraisals, Boundary Reviews and Management Proposals Plans	Status:	For Publication
Report to:	Cabinet	Date:	26 th October 2011
Report of:	Planning Manager	Portfolio Holder:	Regeneration
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Community Impact Assessment:	Required:	Yes	Attached: Yes
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	That the Conservation Area Character Appraisals for the Conservation Areas of Fallbarn, Irwell Vale, Chatterton/Strongstry and Cloughfold, be adopted as material considerations for development control purposes with effect from 27 th October 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	That the consultation comments of Policy Overview and Scrutiny Committee are taken into consideration.
1.4	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, of the second four of a series of Conservation Area Character Appraisals, and to authorise, as resources allow, the gradual implementation of the Management Proposals Plans associated with the Appraisals, including the re-designation of Conservation Area boundaries as recommended within the documents.
- 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 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 were considered by Cabinet on 31st August 2011. The second four (Fallbarn, Irwell Vale, Chatterton/Strongstry and Cloughfold) 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) and a further set of minor alterations (Appendix B). The Conservation Area which has been known as Higher Cloughfold in recent years was originally designated as Cloughfold and it is recommended that this originally designated name be restored to regular use.
- 5.3 Minor boundary changes have been recommended for three of the Conservation Areas. These were included in the relevant consultation exercises and did not produce any specific objections. Small additions are recommended to the boundaries of Irwell Vale and Chatterton/Strongstry and a small deletion is recommended for Cloughfold. During the additional 2 week discussion with local ward members, the civic trust and legal, another small addition to Cloughfold to include a recently listed gravestone has been suggested by the Civic Trust. This will be considered further at such time as boundary alterations proceed. No changes are recommended to be made to the Fallbarn designation.
- 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 document for the last of the existing designated Conservation Areas, Bacup, has been completed and subject to public consultation. Together with that for Rawtenstall, it should be available for the next cycle of meetings. A draft Appraisal, which will allow the designation of Haslingden Town Centre as a Conservation Area (a commitment in the Council's Open Space Strategy) has been completed and is soon to be subject to public consultation.

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. Wording suggesting buildings are out of character with Conservation Areas is not libellous.

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 February 2011 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 suggested that the documents be subject to a further discussion with local members, the Civic Trust and legal services, responses to be received within 2 weeks, and that recommendations to Cabinet include 'and serving of Article 4 Directions' to be inserted in Recommendation 1.2 after 'the re-designation of Conservation Area boundaries'. Comments received as a result of the further discussions are set out in Appendix B and amendments made to the documents where appropriate.

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 and extra 2 week discussion has been taken into account in the preparation of these final documents. Whilst the documents have been written to reflect 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 take place.

Background Papers

Document	Place of Inspection
Understanding Place: Conservation Area Designation, Appraisal and Management	English Heritage web site
Fallbarn Conservation Area Character Appraisal and Management Proposals Plan	Rossendale BC, Development Control, One Stop Shop, Lord Street, Rawtenstall, BB4 7LZ and Rossendale Borough Council web site
Irwell Vale Fold Conservation Area Character Appraisal and Management Proposals Plan	

Chatterton/Strongstry Conservation Area
Character Appraisal and Management
Proposals Plan

Cloughfold Conservation Area Character
Appraisal and Management Proposals Plan

**CONSERVATION AREA CHARACTER APPRAISALS AND MANAGEMENT PROPOSALS PLANS
PUBLIC CONSULTATIONS REPORT June 2011**

Phase 2 - Fallbarn, Irwell Vale, Chatterton/Strongstry and Cloughfold Conservation Areas

FALLBARN CONSERVATION AREA

No.	Respondent	Summary of responses	Comment	Proposed action
1	Anon	(i) Agrees with Key Positive Features. Consider traffic calming to be a priority.	Agreed.	Add to issues.
		(ii) Considers that the new safety rails outside No. 65 are an eyesore.	Noted.	Add to key negatives.
2	R Papworth	(i) Agrees with Key Positive Features - supports the focus on preserving the existing buildings and the heritage of the local area.	Noted.	No further action (NFA).
		(ii) Agrees with the proposals for management, but thinks that there has been too little action to date - the area in general needs a revamp including the roads, street furniture and walls.	Noted.	Ensure this is brought out in the text.
		(iii) Traffic calming is urgently needed, as is residents' parking.	Noted.	Add to issues.
		(iv) Wheelie bins should be relocated.	Noted.	Add to issues.
		(v) Grants will be needed if residents are to be encouraged to reinstate lost architectural features such as windows and railings.	Unfortunately, it is unlikely that any grant aid will be available, at least in the immediate future.	NFA.
3	T Clarke	(i) Agrees with Management Proposals and asks if funding might be provided for sand blasting the buildings.	No funding available - also sand blasting damages stone surfaces.	NFA.

IRWELL VALE CONSERVATION AREA

No.	Respondent	Summary of responses	Comment	Proposed action
1	Janice Johnson	(i) The playground is called the village green.	Acknowledged – however land is in private ownership and village green status has not been granted – text should reflect this.	Amend the text accordingly.
		(ii) Questions whether a potential future development proposal would be allowed.	This is a matter which she needs to take up directly with the Council's Planning Department in due course.	NFA.

		(iii) Notes that satellite dishes will not be needed if cable TV is provided.	Agreed.	NFA.
2	Susan Seddon	(i) Agrees with point raised in paras. 6.1, 6.2 and 6.3. Agrees with management proposals and would like a Conservation Area boundary review.	A review was carried out and recommendations for change included in the draft management proposals.	Following public consultation, these changes will now be implemented.
3	Comments from PC event - 23 adults attended.	Add views from Bowker Street and from centre of village to bridge over Irwell.	Agreed.	Amend map accordingly.

CHATTERTON/STRONGSTRY CONSERVATION AREA

No.	Respondent	Summary of responses	Comment	Proposed action
1	Dorothy Barker	(i) Agrees with Key Positive Features, but notes that the stone slabs in North Street can become very slippery when wet. (ii) Notes that whilst information boards would be helpful, they should not be sited where they will obscure views. (iii) New garages can also be detrimental.	Noted. Agreed - notice boards must be carefully sited. It is likely that any new garages will need planning permission, so the community will be consulted through the usual planning process.	NFA. Amend text accordingly. Amend text accordingly.
2	Mr Stafford	(i) Agrees with Key Positive Features but would like to see more information on the potential impact of the document on the residents living in the area. (ii) Concerned about the height of trees in Chatterton park - causing local residents some concern. (iii) Paving in Mint Street (which is unadopted) is in need of work - he is one of the residents who are responsible for them.	This is explained in the opening section of the Management Options Plan - if not clear, further information can be provided by the Council's conservation officer. This needs to be discussed with the Council's Tree Officer. Noted	NFA. NFA. NFA.

		(iv) Improvements are needed to Chatterton park and the adjoining pathway.	Agree.	Strengthen text as appropriate.
3	Anon	(i) Agrees with Key Positive Features and Management Proposals and has nothing to add.	Noted.	NFA.
4	Verbal feedback from PC event (23 adults attended plus 4 children.	Issues include: Problems with old trees - branches falling down, restricted light, lack of replacement planning programme; Flood risk area - watercourse is lined with stone revetment which is deteriorating - footpath next to watercourse needs repairs; Culvert has collapsed near railway embankment; Surface water run-off a problem from higher land below Bolton Road North; Damage to road surface and walls caused by heavy goods vehicles going to furniture store and also using Chatterton Old Lane (by mistake); and Stubbins Vale Road is unadopted and is in poor condition.	Noted	Add to negative features.

CLOUGHFOLD CONSERVATION AREA

Ref. No	Respondent	Summary of responses	Comment	Proposed action
1	N Simpson	(i) Greenhill was built in 1835 and is on the 1848 map. (ii) Setts were removed from Dobbin Lane in the 1980s by Ninex contractors, and replaced with tarmac - Lancashire CC was contacted several times but said that funding was not available to replace them. Concerned that in 50 years time setts will be completely gone. (iii) States that cars and lorries have damaged the paving particularly outside No. 4 Greenhill. Has no confidence that Rossendale BC or Lancashire CC will do anything.	Agreed. Agreed. Noted.	Amend text accordingly. Amend text accordingly. Add to Issues.
2	Comments from PC event (38 adults attended)	(i) Owner of The Old Rectory says the house was built in the 1890s when St John's Church was built. (ii) Historical background supplied by Kathy Fishwick	Agreed. Agreed.	Amend text accordingly. Amend text accordingly.
3	Anon	(i) Negative features include signage and advertisements which are not in keeping and road signs which are in need of cleaning. (ii) Residents should be allowed to have rooflights and well sited satellite dishes on their properties. (iii) Other issues include dangerous road surfaces (especially in Dobbin Lane), speeding traffic, dangerous parking - more residents' parking would be advantageous.	Agreed. Noted. Agreed.	Amend text accordingly. NFA. Add to Issues.

		(iv) Midlands branch of the Drystone Walling Association involves local people in this craft and can help rebuild any walls in need of repair.	Agreed.	Add to text.
4	Andy Ellis	(i) Would like to see open area to the SE of the junction of Dobbin Close and Dobbin Lane included in the CA.	This area was inspected but was not recommended for inclusion in the CA as it is not considered to be of sufficient architectural or historic interest.	NFA.
		(ii) Would like to see mention of sustainability issues.	These are covered in recent English Heritage guidance.	NFA
		(iii) Would like to see some form of traffic calming in Newchurch Road, which is difficult to cross at certain times of the day. No viable pavement on the south side of the road outside No. 459.	Agreed.	Add to the Issues.
		(iv) Notes a number of factual errors.	Agreed.	Amend text accordingly.

APPENDIX B

2 WEEK FACT CHECKING CONSULTATION – SEPTEMBER 2011

Ref no.	Respondent	Summary of responses	Comment	Proposed action
1	Civic Trust	Gravestones behind Patrick Crescent at Cloughfold now listed – this is not shown on map. Could this be included in CA boundary review?	Buildings shown on maps are those within the CA only. Mapping unable to be altered at this stage but will ensure to consider inclusion into CA at the time when boundary review takes place.	NFA
2	Darryl Smith (with input from Philip Dunne whose family owned existing red brick Chatterton Mill)	<ul style="list-style-type: none"> i) number of road names corrections ii) land donated to Ramsbottom Urban District Council for use by local community iii) graveyard was the former Stubbins United Reformed Church, not Porritt graveyard iv) queried Porritt main residence as Nuttall Hall v) Austin Porritt's father was Richard Millett Porritt vi) Richard Porritt was first MP to be killed in WWII vii) Porritt's didn't wholly fund new church but were major financial contributors viii) Holcombe View was built for employees of Cuba Mill in Stubbins ix) 'School-keeper's house' known as Chapel-keeper's house x) incorrect reference to 'former railways 	Acknowledged that road names can be confusing around Chatterton / Strongstry. Agree that wording regarding Porritt family needs minor modification to reflect their role in the area.	Amend text accordingly where the suggestions for alteration on balance appear accurate. Double check where possible some assertions. Unable to find reference to Cuba Mill for Holcombe View. Railways bridge text amended.

bridge', bridge is used by East Lancs Railway

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