

Subject:	Conservation Area Character Appraisals, Boundary Reviews and Management Proposals Plans (Rawtenstall Town Centre and Bacup)	Status:	For Publication
Report to:	Cabinet	Date:	1 st December 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 Rawtenstall Town Centre and Bacup, be adopted as material considerations for development control purposes with effect from 2 nd December 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, of the final two 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 have been prepared in tranches and the final two (Rawtenstall and Bacup) 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 both 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 both Rawtenstall and Bacup.
- 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 and renewed commitment to 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 an Article 4 Direction in place for some parts of Bacup Conservation Area and the management proposals plan for Bacup recommends a renewed commitment to monitoring and enforcing breaches of this direction to support the preservation and enhancement the character of the conservation area.
- 5.6 Members may wish to note that 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) was also part of the contract and has been completed.

This document is subject to review by the Conservation Officer prior to any further action.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 Any financial implications arising from the report will be contained within existing budget resources.

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 arising from this report. There are no negative impacts on protected equality groups identified – detail contained within the community impact assessment.

9. CONSULTATION CARRIED OUT

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

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

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 take place.

Background Papers

Document	Place of Inspection
Understanding Place: Conservation Area Designation, Appraisal and Management	English Heritage web site
Rawtenstall 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
Bacup Conservation Area Character Appraisal and Management Proposals Plan	

**CONSERVATION AREA CHARACTER APPRAISALS AND MANAGEMENT PROPOSALS PLANS
PUBLIC CONSULTATIONS REPORT
Phase 3 – Rawtenstall - March 2011**

RAWTENSTALL CONSERVATION AREA

Ref. No	Respondent	Summary of responses	Comment	Proposed action
1	Kathryn O'Neill	Notes the proposed new Conservation Area boundary	No response required	No further action
2	Anonymous	Considers the production of a Conservation Area Appraisal pointless given that ASDA lies within the CA and is a 'monstrosity'	ASDA is adjacent to rather than within the conservation area. No further response required	No further action
3	Kathy Fishwick	(i) Further information on historical development	Useful information	Include in text
		(ii) Further information on a number of negative features in the Conservation Area relating to private property: The loss of traditional roof materials and chimneys, poor quality roof dormers, the replacement of windows, painting or sandblasting of stone elevations, poor repointing, the loss of front boundary walls and gateway details, and the loss of back yard buildings/boundaries/details	Useful information	Include in text
		(iii) Further information on a number of negative features in the town centre commercial area: The potential loss of historic paving, and the control of shopfronts	Useful information	Include in text
		(iv) Issues of public perception of Rawtenstall	Agreed	Amend text as an 'Issue'
		(v) Valley Centre Shopping area - central site awaiting redevelopment - rather than total demolition, would a facelift scheme be a simpler and less costly way forward?	Agreed that all options to address the issues presented by this site should be explored	Amend text as an 'Issue'
		(vi) Proposed changes to the CA boundary -- supports all of the proposals but asks if further streets off the Burnley Road can be included	These streets and buildings have been resurveyed and since it is considered that they do not have the same cohesive qualities as the areas recommended for inclusion, it has been decided to leave the recommended boundary changes as they are	Leave recommendations and text as they are
		(vii) Provided a list of negative sites and buildings where enhancements would be welcomed	Agreed	Add these to the text (where they are not already detailed)

BACUP CONSERVATION AREA
Phase 3 - Bacup – October 2011

31 people attended Bacup Conservation Area Public Consultation event on 31 August 2011.

Ref. No	Respondent	Summary of responses	Comment	Proposed action
1	Malcolm Buckley	<p>(i) Notes that the Waterside Mill is the only mill left in the (revised) CA and that it is in very poor condition - considers it to be of little merit and is not keen to see it repaired and refurbished - not fit for modern-day use.</p> <p>(ii) Wants to see greater consideration for the people who already live in the area who have looked after their houses - does not agree that doors and windows should be controlled, or that satellite dishes should be removed - concerned that over-stringent controls will alienate the local population.</p> <p>(iii) Wants to see the local business owners being given incentives to maintain their property - considers that there are already too many empty buildings and there is a limit to the number of listed and preserved buildings which can be maintained and re-used.</p> <p>(iv) Difficult sites include the Methodist Church, the former Market Hall, the old mill buildings on the new Morrison's site, and all 3 Anglican churches in Bacup (which are, or will shortly be, redundant) - these will all need new uses.</p>	<p>It is accepted that the mill is in need of comprehensive repairs but if the funding for a new use can be found then as it is a listed building it should be retained.</p> <p>These controls have helped maintain the external appearance of the buildings in the conservation area and should be continued.</p> <p>This is accepted but the Borough Council must still strive to ensure that the historic buildings of Bacup are preserved and that suitable new uses are found as appropriate.</p> <p>It is accepted that there are a number of redundant historic buildings in the Bacup CA and that more may shortly come forward for re-use. The purpose of the Character Appraisal and Management Plan is to suggest appropriate ways of facing these problems.</p>	<p>Leave the recommendations in the Management Plan as existing.</p> <p>No further action.</p> <p>No further action.</p> <p>No further action.</p>
2	Ken Bowden, Bacup Natural History Society	(i) Notes a number of minor typos and matters of fact which need amending.	All of these are accepted.	Amend the document accordingly.
3	Colin Hubbard	<p>(i) Under 'Traffic and pedestrian management' include cycling - NCN route 92 passes close to Bacup town centre and will ultimately link to Rochdale tram station and Rawtenstall train station - it should be possible to link heritage sites with both pedestrian and cycle routes.</p> <p>(ii) Work with LCC to reduce traffic speeds to 20 mph maximum on all roads within the central conservation area - the speeding traffic is currently a nightmare for pedestrians and deters tourists from visiting the town.</p>	<p>Agreed.</p> <p>Agreed.</p>	<p>Amend the document accordingly.</p> <p>Amend the document accordingly.</p>
4	Anon	(i) Fully agrees with 'Key Feature	Noted	No further action.
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Characteristics'.

(ii) Agrees with Management Proposals
Actions - says it will be good for projects to
emerge from this report as soon as possible.

Noted

No further action.

(iii) Other issues - worried that Rossendale
BC will not act on the recommendations and
that Bacup will gradually deteriorate further.

Noted.

It is hoped that
the Council will
act on the
recommendations
and the continued
provision of
appropriate staff
resources and the
engagement of
the local
community will
help to ensure
that
improvements are
made.

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