

## DESIGNATION OF CONSERVATION AREAS, CLIFTONVILLE

Cabinet	<b>20<sup>th</sup> October 2016</b>
Report Author	<b>Director of Community Services</b>
Portfolio Holder	<b>Cllr Lin Fairbrass, Cabinet Member for Community Services</b>
Status	<b>For Decision</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>Yes</b>
Reasons for Key	<b>Significant effect on communities</b>
Previously Considered by	<b>Full Council – 27<sup>th</sup> February 2014 Cabinet - 20<sup>th</sup> January 2015</b>
Ward:	<b>Cliftonville East and West</b>

### Executive Summary:

- Thanet District Council is committed to protecting the special architectural and historic interest of the district. The Council can designate conservation areas to control development within areas of historic interest in the district, and this often results in the increase in the attractiveness of an area to investment and to property values in the area.
- The Council proposes the designation of 5 conservation areas in Cliftonville, Margate:
  - Northdown Road
  - Edgar Road/Sweyn Road
  - Cliff Top
  - Norfolk Road/Warwick Road/Surrey Road
  - Clifton Place/Grotto Gardens
- The Council proposes the adoption of character appraisals and management plans documents to accompany each conservation area.

### Recommendations:

1. That the 5 conservation areas as indicated by the boundaries shown on the plans appended to this report be agreed for adoption as designated conservation Areas.
2. That the conservation area appraisals and management plans associated with those areas as appended to this report be approved and adopted, with suggested actions subject to the availability of resources.

### CORPORATE IMPLICATIONS

#### Financial and Value for Money

Unlikely to result in financial implications. The cost of the proposed Conservation area designation process is being accommodated within existing Council budgetary and staffing provisions. The designation of conservation areas does not result in additional income or discernible reduction in income from planning applications in the conservation area. Therefore the financial impact on the Council is neutral.

<b>Legal</b>	There are no adverse legal implications in taking this forward, and this has been agreed by the Planning Solicitor.								
<b>Corporate</b>	<p>The proposals support the corporate plan:-</p> <ul style="list-style-type: none"> <li>• Priority 1 – A clean and welcoming environment</li> <li>• Priority 2 – Supporting Neighbourhoods</li> <li>• Priority 3 – Promoting inward investment and job creation</li> </ul>								
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td>✓</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>The findings of the Customer impact assessment are as follows:</p> <p>Conservation area designation does impact on the planning process with regard to the consideration given to new developments and alterations to existing buildings which require planning permission. There may be an impact on two groups that share a protected characteristic, that of age and disability. The impact on the two groups can be mitigated by undertaking discussions with development control officers over the treatment of an individual's protected characteristic in determining planning applications and by providing clear and consistent advice to property owners with regard to proposals that require planning permission. Otherwise conservation area designation seeks to preserve and/or enhance the areas for the benefit and well-being of local residents, businesses and community and this should not discriminate but be advantageous to all.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,		Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓	Foster good relations between people who share a protected characteristic and people who do not share it.	
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,									
Advance equality of opportunity between people who share a protected characteristic and people who do not share it	✓								
Foster good relations between people who share a protected characteristic and people who do not share it.									

<b>CORPORATE PRIORITIES (tick those relevant)✓</b>	
A clean and welcoming Environment	✓
Promoting inward investment and job creation	✓
Supporting neighbourhoods	✓

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	✓

## **1.0 Introduction**

- 1.1 Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a statutory duty on local planning authorities to review and determine which parts of their areas are of special architectural or historic interest, the character of which is desirable to preserve or enhance. These areas should be designated as conservation areas.
- 1.2 The National Planning Policy Framework (NPPF) identifies the protection of the historic environment as an element of sustainable development. It also asks local authorities when considering the designation of conservation areas to ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation areas is not devalued through designation of areas that lack special interest.
- 1.3 Historic England guidance suggests that in designating conservation areas the special interest should be identified based on detailed analysis of the areas' individual qualities. To illustrate which features are important within an area, conservation area appraisals are prepared for all conservation areas, and these are consulted upon with the public. These documents provide an evaluation of the 'character' of an area and provide guidance as to what development may be acceptable within the conservation area. Once adopted, they form a material consideration when considering planning applications within and adjacent to the designated areas.
- 1.4 The purpose of conservation area designation is not intended to prevent change or development but rather to enable its careful management, and to ensure that any proposals for change within the area are properly considered. Such management of the area should result in safeguarding the special character and appearance of the area, by enhancing properties through retention or re-instatement of original features which generally have a positive impact on the impression of the area for those who live, work or pass through it.
- 1.5 Conservation area designation introduces controls over the way owners can alter or develop their properties. However, findings from research (funded by English Heritage (Historic England) and undertaken by the London School of Economics and Political Science (published on 7 July 2012) confirm that heritage has economic value and houses in conservation areas sell at a premium. Also, owners of residential properties within conservation areas generally consider that the controls on development are beneficial because they also sustain and/or enhance the value of property within it.

## **2.0 Background**

- 2.1 In 2010 following the designation of Dalby Square Conservation Area Thanet District Council commissioned "The Conservation Studio" to report on whether there was a potential to designate conservation areas in Cliftonville West Ward. This resulted into production of draft designation appraisal documents and management plans for six defined areas in the Ward.
- 2.2 A motion was put to Council on 27th February 2014 to designate further conservation areas in Cliftonville. Officers recommended that potential conservation areas in Cliftonville should be designated, beginning with those areas most at threat from detrimental change.
- 2.3 A report was submitted to Cabinet on 20th January 2015 after public consultation, where it was agreed to designate Ethelbert Road and Athelstan Road Conservation

Area. Cabinet also agreed that the remaining five areas (including Northdown Road, Edgar Road/Sweyn Road, Cliff Top, Norfolk Road/Warwick Road/Surrey Road and Clifton Place/Grotto Gardens) be progressed to consultation with members of the public for consideration as designated conservation areas.

### **3.0 The Current Situation**

- 3.1 An eight week public consultation exercise was undertaken from the 11th January 2016 until 7th March 2016. Considerable effort was made to ensure that as many people as possible were aware of the consultation exercise, including an online questionnaire, emails, letters to owner/occupiers, press releases and drop-in sessions. The results of the consultations have been appended (Annex 6) to this report.
- 3.2 The consultation was aimed at drawing out local knowledge to inform the detailed character appraisals and to test local support for designation and any recommendations for future management. The process has also helped raise the profile of the architectural value, distinctiveness and historic development of the proposed conservation areas.
- 3.3 The public consultation exercise has shown that there is support for the designation of the proposed conservation areas and management measures proposed. It is therefore appropriate to prepare the appraisal documents for publication and adoption with minor changes where additional information has been revealed.
- 3.4 Officers have taken into account the results of the public exercise in finalising the proposal to designate the conservation areas and have produced character appraisal documents for Northdown Road, Edgar Road/Sweyn Road, Norfolk Road/Warwick Road/Surrey Road, Cliff Top and Clifton Place/Grotto Gardens which have been reviewed following consultation (as appended to Annexes 3-7).

### **4.0 Option**

- 4.1 **Option 1:** Approve the adoption of the conservation area appraisals and designation of the five proposed areas.
- 4.2 **Option 2:** Do not approve the adoption of the conservation area appraisals and designation of the five areas.
- 4.3 Option 1 is the officer preferred option for the following reasons:
- The designation of the conservation area and adoption of the appraisals will:
    - Identify the 'special architectural or historic interest' of the area
    - Contribute to the preservation of the overall identity of the area and the district as a whole.
    - Assist in the conservation of the existing heritage for the benefit of future generations.
  - The adoption of the conservation area appraisals will:
    - Comply with guidance in the NPPF.
    - Justify the status of 'special architectural and historic interest'.
    - Articulate the special character in detail.
  - The conservation area appraisals will:
    - Enable a balanced judgment to be made in considering development proposals about the scale of harm or loss to the significance of the conservation areas.

- Assist the Development Management process in considering applications.
- Inform the local community about their local heritage.
- Positively contribute to the sustainability of the district's built heritage.

## 5.0 Next Steps

- 5.1 It is proposed to continue to progress the designation of these areas as conservation areas and to finalise and then adopt the Character Appraisal and Management Plan documents. To complete this, notifications will be sent to the Secretary of State for Culture, Media and Sport; Historic England and published in the London Gazette and Local press. All interested parties will also be notified of the designation.
- 5.2 The consultation received representations from residents requesting the inclusion of additional areas within the conservation areas. This will require an additional consultation exercise for character appraisals to be drafted, ensuring that those affected by the proposals have opportunity to comment, and this will be progressed if resources allow. Officers will progress the additional areas meriting designation and return to Cabinet in due course.

Contact Officer:	Jacob Amuli, Senior Conservation Officer, Ext. 7126
Reporting to:	Iain Livingstone, Planning Applications manager, Ext. 7752

## Annex List

Annex 1	Public Consultation Report
Annex 2	Map of Proposed Conservation Areas
Annex 3	Proposed Northdown Road Conservation Area Draft Character Appraisal and Management Plan
Annex 4	Proposed Edgar Road/Sweyn Road Conservation Area Draft Character Appraisal and Management Plan
Annex 5	Proposed Clifftop Conservation Area Draft Character Appraisal and Management Plan
Annex 6	Proposed Norfolk Road/Warwick Road/Surrey Road Conservation Area Draft Character Appraisal and Management Plan
Annex 7	Proposed Clifton Place/Grotto Gardens Conservation Area Draft Character Appraisal and Management Plan
Annex 8	Equalities Impact and Customer Needs Analysis

## Corporate Consultation

<b>Finance</b>	Matthew Sanham, Corporate Finance Manager
<b>Legal</b>	Ciara Feeney, Head of Legal Services