

Report for: ACTION



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| Contains Confidential or Exempt Information | NO - Part I |
| Title | Draft Conservation Area Appraisal: Holyport |
| Responsible Officer(s) | Russell O'Keefe, Strategic Director of Corporate & Community Services. |
| Contact officer, job title and phone number | Chris Hilton Director of Planning, Development and Regeneration. 01628 683811 |
| Member reporting | Councillor Derek Wilson, Lead Member for Planning. |
| For Consideration By | Cabinet |
| Date to be Considered | 28 January 2016 |
| Implementation Date if Not Called In | Immediately |
| Affected Wards | Holyport |

REPORT SUMMARY

1. This report covers the proposed process for a revised Conservation Area Appraisal (the 'Appraisal') for Holyport.
2. It recommends that Cabinet authorises public consultation and following consultation, revised conservation area proposals (including boundary changes) are brought back to cabinet for approval. This recommendation is being made because local authorities have a duty under section 71(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 (the 1990 Act) to formulate and publish proposals for the preservation and enhancement of any parts of their area which are within conservation areas and under s71(2) of the 1990 Act such proposals shall be submitted for consideration to a public meeting in the area which they relate. It is appropriate to consult publicly on the documents prior to formal adoption.
3. Boundary changes are being recommended because the National Planning Policy Framework (NPPF) (para 127) states, 'When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest.'
4. If adopted, there would be no foreseeable financial implications arising other

than those as set out below.

| If recommendations are adopted, how will residents benefit? | |
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| Benefits to residents and reasons why they will benefit | Dates by which residents can expect to notice a difference |
| 1. Residents in the conservation area would be able to comment upon the appraisal prior to formal adoption and to engage with the Council during the consultation period on the issues set out in the appraisals. | March/April 2016 |
| 2. Residents and stakeholders comments will be reported back to Cabinet through overview and scrutiny to seek agreement to adopt the proposals. | May 2016 |
| 3. Ultimately residents would benefit from adoption of the proposals that would strengthen the powers of the conservation areas. This will benefit residents across the Borough as the appropriate protection of the historic environment will raise the overall quality of the places in which people live, work and play. | June 2016 forward |

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- (i) **Notes the revised appraisal and agrees that that it should go out for public consultation**
- (ii) **Delegates authority to the Strategic Director of Corporate and Community Services to launch the consultation in conjunction with the Lead Member for Planning, and following consultation, to bring revised conservation area proposals (including boundary changes) back to Cabinet for approval.**

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

2.1 It is a statutory duty of local planning authorities (LPAs) to formulate and publish proposals for the preservation and enhancement of parts of their area which are conservation areas. In so doing, and in line with the Government's desire to engage with local communities, it is appropriate to consult the public on the proposed revisions to the Holyport conservation area.

| Option | Comments |
|---|--|
| Simply produce and adopt the appraisal with no changes to the boundary and no consultation process. | This would not engage with the community and would miss an opportunity to inform the community of the importance of their historic environment which informs the quality and character of the place in which people live and work. The current policies would be dated and not reflect |

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| | current thinking on conservation priorities. There is a legal requirement to notify the Secretary of State of the variation. |
| Consult on the appraisal, and following consultation, bring revised conservation area proposals (including boundary changes) back to Cabinet for approval. | This engages with the community and ensures proper consideration of the historic and architectural qualities and challenges of the area. This is the recommended option. |

3 KEY IMPLICATIONS

| Defined Outcomes | Unmet | Met | Exceeded | Significantly Exceeded | Date they should be delivered by |
|--|-------|-----|----------|------------------------|----------------------------------|
| Number of revised conservation area appraisals completed | <1 | 2 | 3 | >3 | 1 May 2016 |

3.1 There is an existing conservation area appraisal for Holyport which was prepared in 1994. This is available on the Council website with a map of the conservation area boundary.

3.2 Section 69 (2) of the 1990 Act places a duty on local planning authorities to consider from time to time whether they should designate new conservation areas or extend existing ones. General guidance from Historic England is that appraisals should be reviewed every 5 years. Officers are seeking to ensure that all appraisals are updated. There is a target to do at least two revised appraisals per year. Two were done earlier this financial year for Inner Windsor and Clarence Road/Trinity Place.

3.3 The key changes from the existing appraisal to the revised appraisal on which consultation will be undertaken is that the information and assessment on the character and appearance of the area is updated; the objectives of the management plan have been updated and boundary changes are proposed as shown on the attached map at Appendix A.

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 There is a requirement under section 70(8) of the 1990 Act that notice of any designation, variation or cancellation of a conservation area including information as to the particulars of its effect is placed in the London Gazette and at least one newspaper circulating in the area of the local planning authority which can be met from existing budgets.

| | 2015/16 | 2016/17 | 2017/18 |
|-----------|------------------|------------------|------------------|
| | Revenue £'000 | Revenue £'000 | Revenue £'000 |
| Addition | £0 | £0 | £0 |
| Reduction | £0 | £0 | £0 |

| | 2015/16 | 2016/17 | 2017/18 |
|-----------|------------------|------------------|------------------|
| | Capital £'000 | Capital £'000 | Capital £'000 |
| Addition | £0 | £0 | £0 |
| Reduction | £0 | £0 | £0 |

- 4.2 There are no financial implications.

5. LEGAL IMPLICATIONS

- 5.1 Under the 1990 Act the Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. Such proposals are known as conservation area appraisals and, as a reasonable part of this process, it is expected that the Council will consult when the proposals are at a draft stage in line with the 'conservation principles. Policies and Guidance' as published by English Heritage 2008.

6. VALUE FOR MONEY

- 6.1 By producing informed documents that set out the special character and significance of places the Council is providing important guidance to those seeking to make changes as well as to inform residents, owners and businesses as to the value of these special places in the most economic, efficient and effective manner.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None.

8. RISK MANAGEMENT

8.1

| Risks | Uncontrolled Risk | Controls | Controlled Risk |
|---|--------------------------|--|------------------------|
| That conservation areas are ill defined and insufficiently protected. | High | Completion of detailed appraisals, with consultation on these and then adoption by the Council | Low |
| | | | |

9. LINKS TO STRATEGIC OBJECTIVES

- 9.1 Residents First: Improve the Environment, Economy and Transport
Value for Money: Invest in the future
Delivering Together: Enhanced Customer Services

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

- 10.1 EQIA is not considered to be necessary.

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

- 11.1 None.

12. PROPERTY AND ASSETS

- 12.1 None.

13. ANY OTHER IMPLICATIONS

- 13.1 There may be public enquiries relating to the consultation that will involve frontline staff. Conservation Areas are registered as a local land charge.

14. CONSULTATION

- 14.1 Draft appraisals have been shared with members of Bray Parish Council (Holyport Ward) and Borough ward councillors. Drafts have also been shared with team leaders in the Planning Policy team.
- 14.2 The public consultation will include large printed boards of information on the appraisals key findings and the management plan objectives being displayed in Maidenhead Library throughout the 6 week consultation period. Printed copies of the appraisals will also be available in Windsor and Maidenhead libraries. Response forms will also be available in the library and will be either deposited in a box or can be posted/ dropped off at Town Hall, Maidenhead.

14.3 The appraisals will also be available online at www.rbwm.gov.uk for members of the public and interested groups to read through. Online response forms will be available.

14.4 Response forms will ask about the:

- accuracy of the appraisal
- the information and assessment about the character and appearance of the area
- the objectives in the management plan; and
- proposed boundary changes.

14.5 The report will be considered by Planning and Housing Overview and Scrutiny Panel on 26 January 2016'

15. TIMETABLE FOR IMPLEMENTATION

15.1

| Date | Action |
|------------|---|
| 29/01/2016 | Development of consultation packs |
| 12/02/2016 | Approval of consultation packs |
| 29/02/2016 | Consultation 'live' |
| 11/04/2016 | Consultation closes |
| 22/04/2016 | Results considered by officers/ Lead member etc |
| 26/05/2016 | Appropriate decisions to be taken by Cabinet regarding adoption or further consultation |

16. APPENDICES

16.1 Appendix A – Draft Maps for Holyport Conservation Area.

17. BACKGROUND INFORMATION

17.1 The published Conservation Area Appraisal for Holyport which is available on the Council website.

18. CONSULTATION (MANDATORY)

| Name of consultee | Post held and Department | Date sent | Date received | See comments in paragraph: |
|-------------------|-------------------------------|-----------|------------------|----------------------------|
| Cllr Burbage | Leader of the Council | 4/1/16 | 18/1/16 | |
| Cllr Wilson | Lead Member for Planning | 23/12/15 | 2/1/15 & 18/1/16 | Recommendation and 14.1 |
| Alison Alexander | Managing Director | 7/1/16 | 8/1/16 | Recommendation |
| Sean O'Connor | Head of Shared Legal Services | 7/1/16 | 8/1/16 | |

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|-----------------|--|----------|--------|---|
| Russell O'Keefe | Strategic Director Corporate & Community Services | 4/1/16 | 7/1/16 | Recommendation 4a |
| Andrew Brooker | Head of Financial Services | 7/1/16 | 8/1/16 | |
| Karen Reader | Finance partner | 7/1/16 | | |
| Chris Hilton | Director of Development and Regeneration | 21/12/15 | | |
| Michaela Rizou | Cabinet Policy Assistant | 31/12/15 | 4/1/16 | Recommendation Financial implications |

REPORT HISTORY

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| Decision type: | Urgency item |
| Non-key decision | No |

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| Full name of report author | Job title | Full contact no: |
| Brian O'Callaghan | Conservation Officer | 01628 685949 |