

Agenda Item no: 8

Chichester District Council

Executive Board

Tuesday 8th September 2009

**Conservation Areas: Current Progress on Character Appraisals,
Article 4 Directions and programme for future work**

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2. Recommendations

- 2.1 **That the Board notes the current situation with respect to completed character appraisals for the District's conservation areas;**
- 2.2 **That the Board note the inclusion of Chichester, East Marden, Graylingwell, Kirdford, Selsey, Tangmere, Walderton, West Itchenor and West Wittering conservation areas on English Heritage list of conservation areas at risk within the District and criteria used to identify them;**
- 2.3 **That the Board agree the proposed programme for further conservation area appraisals and review of existing appraisals set out in paragraph 6.1 of this report; and**
- 2.4 **That on the basis of that programme the Board agree to the commissioning of conservation area character appraisals and management proposals to cover Boxgrove and Halnaker, Kirdford, West Itchenor and Wisborough Green.**

3. Background

- 3.1 Sections 69 and 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty on local planning authorities to review their areas and designate any areas of "special architectural or historic interest" as Conservation Areas and from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas.

3.2 The preparation of Character Appraisals and Management Proposals for conservation areas enables the Council to fulfil these duties. They enable the special characteristics of conservation areas to be defined, the appropriateness of the boundaries to be reviewed and proposals for the preservation and enhancement of the Conservation Area and the protection of its special character to be formulated. They also contribute to achieving the Council's priorities and objectives for managing a changing environment, achieving vibrant and safe and clean neighbourhoods and promoting a sense of place as set out in the Sustainable Community Strategy.

3.3 Once a conservation area character appraisal has been adopted it should be subject to review every 5 years.

4. Current Situation with respect to Conservation Areas within the District that have Character Appraisals

4.1 The Council has 85 Conservation Areas, of which 20 have had Conservation Area Character Appraisals carried out. An appraisal and management proposals has recently been commissioned for the South Harting Conservation Area and this is the subject of another report on this Agenda.

4.2 Of the character appraisals that have been prepared, three: Fernhurst, Midhurst and Petworth, are over 5 years old and due for review.

5. English Heritage's Conservation Areas At Risk

5.1 English Heritage's Heritage at Risk register for 2009 for the first time identifies conservation areas that are 'at risk' of neglect, decay, damaging change, or are a cause for concern. The conservation areas at risk have been identified through the first ever survey into the condition of England's conservation areas instigated by English Heritage.

5.2 The survey comprised a series of online questionnaires covering each conservation area completed by Council officers. There has been some controversy about the assessment of conservation areas for the at risk register. The register is based on the survey information provided by individual authorities and there have been no benchmarks or training provided to ensure any consistency in the questionnaire returns, which is reflected in some of the results. For example Winchester has been identified as having 24 conservation areas at risk out of a total 37, representing 65% of their conservation areas. This is probably due to different approaches by local authorities to the question "Over the past 3 years what would you say has happened to the appearance and vitality of the Conservation Area" with some authorities identifying fairly minor changes as a deterioration in character with others only identifying those with significant changes as having deteriorated.

5.3 With respect to the Chichester conservation areas at risk, some of these have had minor changes noted, such as an odd satellite dish or inappropriate window replacement or in the case of East Marden a new farm access was identified as being unsympathetic to the street scene. Therefore in general their quality is regarded as good, defining them all as 'at risk' is possibly slightly misleading. However there are problems in some areas, particularly the affects

of heavy traffic, some new developments and impact of unsympathetic alterations/loss of features.

- 5.4 English Heritage has launched a Conservation Areas at Risk campaign to encourage local residents, local groups and councils to work together to manage change and protect the unique character and appearance of these special places. They are also encouraging Councils to pay more attention to the public spaces of conservation areas by applying the principles set out in English Heritage's [Save Our Streets](#) guidance.
- 5.5 The conservation areas identified by English Heritage as being 'at risk' are those that have been seen to have deteriorated over the last three years, or were expected to deteriorate over the next three years. In Chichester District, 9 conservation areas have been identified as 'at risk': Chichester, East Marden, Graylingwell, Kirdford, Selsey, Tangmere, Walderton, West Itchenor, and West Wittering, representing 10.5% of the total of 86 conservation areas. This compares with the national average of 15% and the average for the south-east of 11%.

6. Programme for future preparation of Conservation Area Character Appraisals

- 6.1 Due to the numbers of conservation areas involved it is recommended that any future character appraisal work should be prioritised to ensure resources are directed at areas of most need. The criteria that could be used to set these priorities include:
- Areas that are known to be subject to development pressure [established in consultation with Development Management and Planning Policy officers], to ensure the special character and appearance of these areas are preserved;
 - Areas that are subject regeneration projects or other improvements to ensure conservation interests are promoted; and
 - targeting those conservation areas not falling within the boundary of the South Downs National Park, as at present the extent of the emerging Park Authorities planning powers and duties are unclear.
- 6.2 On this basis, it is recommended that appraisals should next be undertaken for [Boxgrove and Halnaker, Kirdford, West Itchenor and Wisborough Green](#).
- 6.3 With respect to those conservation areas that already have character appraisals but which are over 5 years old and which are due for review it is recommended that these reviews should be carried out in house by the Council's Design and Conservation Team. A database has been set up to facilitate the recording of the special characteristics of conservation areas as tools to help with the monitoring of any changes, which will help with the conservation area review and also link in to the Historic Environment Record database. Policy developments, highlighted in the recent draft Planning Policy Statement (PPS) 15 on the Historic Environment will require the extension of the Council's Historic Environment Record (HER) to include buildings and the review of these areas will provide the basis for prioritising this work. The HER

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will in effect provide a significant part of the evidence base that will help the authority to define 'special significance' when considering planning proposals, as anticipated in the draft PPS.

- 6.4 A detailed list of all the District's conservation areas detailing which have appraisals, which fall within the National Park and those to be prioritised for conservation area appraisal work is included at the Appendix to this report.

7. Use of Article 4(2) Directions to preserve the character of conservation areas.

- 7.1 English Heritage, as part of its conservation areas at risk campaign is calling for councils to use the powers they already have to apply Article 4 Directions in Conservation Areas, giving them control over small changes to doors, windows, and roofs and fences, which, if unchecked, lead to slow but irreversible decline. The English Heritage survey has shown that Conservation Areas with Appraisals or Article 4 Directions are almost twice as likely to improve in the next three years as those without.
- 7.2 There are two types of Article 4 Directions: Article 4(1) which require approval by the Secretary of State and Article 4(2), introduced in 1995 which relate specifically to conservation areas and specific classes of permitted development to areas fronting public spaces and streets and which do not require Secretary of State approval.
- 7.3 Within Chichester District there are a number of Article 4(1) Directions in place mostly covering activities on agricultural land, such as camping within the Chichester Harbour AONB and adjacent areas within the Manhood Peninsula and motor racing to the north-west of Chichester. There is also a conservation area based Article 4 Direction controlling satellite dishes and antenna in the Chichester City Conservation Area.
- 7.4 It is intended that further Article 4 (2) Directions should be made to protect the character of Chichester's conservation areas. More recent Character Appraisals and Management Proposals covering Chichester City, Dell Quay, Donnington, Earnley, Fishbourne, Hunston, Oving, Prinsted, Runcton, Siddlesham Quay, Somerley, Tangmere and West Wittering make recommendations, either within the documents or the attached Good Practice Guidelines, that Article 4(2) Directions should be made and it is intended to prioritise these areas for progressing the implementation of Article 4(2) Directions as staff resources permit.
- 7.5 The reviews to be undertaken of the Midhurst, Petworth and Fernhurst conservation area appraisals will consider the need for Article 4(2) Directions in these areas, approval of which will be sought in connection with the revised appraisal documents.
- 7.6 Article 4 Directions for the remaining conservation areas will be considered in connection with the preparation of conservation area character appraisals and management proposals when these take place and approval sought at that time.

8. Climate Change Implications

- 8.1 Conservation area appraisals and management guidelines seek to preserve the character of historic areas and secure retention and re-use of historic buildings and areas. Significant reductions in emissions can be achieved through refurbishing and reusing older buildings and areas as opposed to re-developing them. Re-using existing buildings and structures, historic or otherwise, preserves the energy embedded in them.
- 8.2 Conservation of the built environment promotes traditional skills and the use of locally sourced materials. There is also evidence to suggest that older buildings require less ongoing investment in maintenance than newer ones and refurbishment often comes closest to reconciling the needs of environment, economic growth and local communities.
- 8.3 The imposition of an Article 4 (2) Direction will discourage use of environmentally damaging materials such as uPVC and aluminium for replacement windows and doors etc. It could be argued that seeking to restrict the introduction of double-glazing could fetter attempts to reduce carbon emissions in the nation's housing stock. However the percentage of residential buildings located in conservation areas has been calculated to be only about 4.8% of the Nation's total housing stock¹. Many other measures are available to improve the thermal performance of historic buildings such as draught-proofing, improving insulation and replacing tungsten light bulbs. Therefore, the potential impact in relation to the global scale of the issues is considered to be minimal.

9. Human Rights and Equality Impact

- 9.1 Character Appraisals and Management Proposals and Article 4 (2) Direction will not have any direct impacts on Human Rights and Equalities. They have been subject to full public consultation, and it is believed that its implementation will have a neutral impact on human rights and equalities. Home owners rights are protected in that applications may still be made for the classes of development covered by the Direction.

10. Financial Implications

- 10.1 In recent years the Council has employed consultants to prepare conservation area appraisals and management proposals. Costs associated with this work vary according to the size and complexity of the conservation areas concerned. There can also be economies of scale by commissioning a number of conservation area appraisals at one time as this can streamline the consultation process. The South Harting Conservation Area appraisal has cost £7,224 (Excl VAT) plus additional overheads such as hall hire, for public exhibition, printing of leaflets and questionnaires.
- 10.2 Using South Harting as a guide, it is anticipated that the cost of completing the 4 recommended appraisals - Boxgrove and Halnaker, Kirdford, West Itchenor

¹ Catherine Bottrill Researcher, Environmental Change Institute: Homes in Historic Conservation Areas in Great Britain: Calculating the Proportion of Residential Dwellings in Conservation Areas - August 2005

and Wisborough Green, would be a maximum of £25,000, possibly less if completed at the same time. This will be funded from former Planning Delivery Grant funds allocated for the preparation of conservation area character appraisals.

- 10.3 The review of the 3 conservation areas with out of date appraisals – Midhurst, Petworth and Fernhurst - will be absorbed within existing staff costs using information available from the Historic Environment Record and site surveys.

11. Appendix

Annex 1. Conservation Area Table showing extent of character appraisal coverage