

Chichester District Council

CABINET

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Review of Character Appraisal and Management Proposals for Westbourne Conservation Area

1. Contacts

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2. Executive Summary

<p>This report seeks approval of the revised conservation area character appraisal and management proposals for Westbourne Conservation Area and changes to the conservation area boundary to include Westbourne Cemetery.</p>
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3. Recommendations

- 3.1. **That the revised Character Appraisal and Management Proposals for Westbourne Conservation Area, attached at Appendix 1 to this report, be approved as a material consideration in relevant planning decisions.**
- 3.2. **That the recommended changes to the Westbourne conservation area boundary as shown on the draft map on page 40 of the revised Character Appraisal and Management Proposals, attached at Appendix 1 to this report, be approved.**
- 3.3. **That the proposed responses to representations, attached at Appendix 2, to this report, be approved.**

4. Background

- 4.1. The Council has a duty under present legislation to designate those areas of Chichester District, outside of the South Downs National Park, considered to have outstanding architectural or historic interest as conservation areas and keep those designations under review.
- 4.2. The original Conservation Area Character Appraisal for Westbourne was published in March 2007. Historic England's guidance recommends that conservation area appraisals should be subject to review to ensure that they are up to date and relevant as planning policy documents. The more up-to-date an appraisal is the greater the weight that can be attached to it, for example at planning appeals.

- 4.3. As part of the Council's duty to review Conservation Areas and in accordance with its Historic Environment Strategy; consideration also needs to be given as to whether the addition of further planning controls in the form of Article 4 Directions are an appropriate tool to form part of the management proposals. Since the last review of Westbourne was undertaken in 2016 the overall quality of the townscape and of individual buildings in general has improved. In terms of potential harm normally covered by Article 4 Directions, such as windows, chimneys, front boundary walls; better design choices in general already are being made, without the need for Article 4 Directions. There is no reason to suspect that trend will not continue, and therefore an Article 4 Direction is not warranted at this time.

5. Outcomes to be achieved

- 5.1. Up-to-date Conservation Area Character Appraisal documents provide a sound basis for protecting the character of conservation areas and give greater confidence in decision making. They also provide a useful evidence base that will be available to local communities who wish to take forward their own proposals such as Neighbourhood Plans.

6. Proposal

- 6.1. The appraisal has been reviewed in compliance with the National Planning Policy Framework (NPPF) and in accordance with guidance contained in Historic England advice note 1: Conservation Area Designation, Appraisal and Management (Second Edition February 2019). The consultation draft of the revised appraisal document is available on the councils website and is listed under background documents in section 13. Further changes have been made following public consultation and a full list of these change is annotated against the responses received. The final post-consultation version of the document being recommended for approval is attached at Appendix 1.
- 6.2. As part of the appraisal process, the existing conservation area boundary was reviewed and the suggestion to include the area of the Westbourne Cemetery was proposed. The cemetery is proposed for inclusion for its clear historic link and relationship with the historic settlement of Westbourne. It represents a characterful open space with interesting and high quality architecture, planting and means of enclosure.
- 6.3. The suggested boundary change was included in the public consultation document and is now recommended, as amended, to the Cabinet for approval.
- 6.4. Details of the proposed boundary changes including justification for the proposed changes are included within the appraisal document on pages 29 and 30.
- 6.5. Once approved by the Council, the revised conservation area character appraisal will replace the existing appraisal document and be used as a material consideration in planning decisions. If approved, the boundary changes will be implemented in accordance with statutory procedures including advertisement in the local press and London Gazette.

- 6.6. This report seeks approval of the revised appraisal document for Westbourne Conservation Area and for the implementation of the recommendations in respect of proposed changes to the conservation area boundary.

7. Alternatives Considered

- 7.1. The alternative would be to rely on the existing appraisal document and issue errata sheets to cover any inaccuracies within it. As a result, the existing appraisal document would gradually become increasingly out-of-date which could weaken the Council's case in defending against inappropriate proposals that could potentially harm the character of the conservation area.

8. Resource and Legal Implications

- 8.1. The review of the appraisal has been undertaken in-house by existing staff. Costs accrued were in relation to advertising the conservation area consultation and legal resources which were met from existing budgets.
- 8.2. The Planning (Listed Buildings and Conservation Areas) Act 1990 imposes duties on local planning authorities to designate Conservation Areas and from time to time to formulate and publish proposals for their preservation and enhancement.

9. Consultation

- 9.1. The preparation of the documents involved area surveys including an initial walkabout with the Ward Member for Westbourne and representatives of the Joint Burial Committee. Further detailed surveys of the wider conservation area were conducted by the Conservation and Design team.
- 9.2. The draft appraisal and management proposals and recommendations for modification of the existing conservation area boundary were the subject of public consultation between 22 March and 22 April 2022. The appraisal document was made available on the Council's website alongside promotion on the Council's social media channels. Copies of the appraisal document were sent to a list of key consultees and local stakeholders. Hard copies were made available at St John the Baptist Church and Westbourne Parish Hall. Representations were made by e-mail and letter to the Conservation and Design Team.
- 9.3. Several changes to the documents have been made in response to the representations received. Details of the representations received, the responses to them and changes made to the document as a result are included at Appendix 2 to this report.

10. Community Impact and Corporate Risks

- 10.1. The main implications arising from this report and potential risks to the Council achieving its objectives are assessed to be as follows:-
 - a) Positive (Opportunities/Benefits): Delivery of corporate objectives; raise the quality of development in the rural areas; meet statutory obligations in relation to conservation area management.

- b) Negative (Threats): Raised expectations, as whilst the appraisal will be a material consideration in the development management process, it is not a 'rulebook' for development and each application will have to be considered on its own merits.

11. Other Implications

	Yes	No
Crime and Disorder		√
Biodiversity and Climate Change Mitigation		√
Human Rights and Equality Impact		√
Safeguarding and Early Help		√
General Data Protection Regulations (GDPR)		√
Health and Wellbeing		√
Other (please specify)		√

12. Appendices

- 12.1. Appendix 1 - Revised Character Appraisal and Management Proposals for the Westbourne Conservation Area.
- 12.2. Appendix 2 - Proposed Council responses to representations following public consultation.

13. Background Documents

Pre consultation draft of Westbourne Conservation Area Character Appraisal available at

<https://www.chichester.gov.uk/conservationareaappraisals>