

Subject:	Conservation Strategy Review		
Date of Meeting:	15 January 2015		
Report of:	Executive Director Environment Development and Housing		
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The current Conservation Strategy was adopted in 2003 to clarify the council's responsibilities and reaffirm its commitment toward the conservation of Brighton & Hove's historic built environment. It includes a programme of action for the management of the city's heritage assets. This Strategy has been largely very successful but is now due for review.
- 1.2 This report gives details of the review of the current Strategy, including the response to consultation, and seeks approval for the adoption of a revised Conservation Strategy for the city for the next ten years.

2. RECOMMENDATION:

- 2.1 That the Committee approve the revised Conservation Strategy (Appendix 1).

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 The review has taken account of all the progress against the aims of the original Strategy, changes over the past ten years in national planning legislation and policy and revised local policies and priorities. More recently the Strategy has been further reviewed to take account of the restructure of the Planning and Building Control service and the associated changes to resources.
- 3.2 The National Planning Policy Framework (NPPF) of 2012 states that "*local planning authorities should set out in their Local Plan a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats*". The revised Conservation Strategy is intended to meet this expectation and is specifically referred to in policy CP15 of the council's draft City Plan (Part 1). The Strategy will also ensure that the council continues to meet its duties and responsibilities under the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 3.3 This Strategy seeks to positively manage change within the city's renowned historic environment. It will guide future work programmes and ensure that the city's historic built environment is managed in a co-ordinated and structured way. The Strategy highlights key objectives, helping to prioritise action and helping to ensure that available resources are directed to best effect. It will assist the making of bids for resources, including partnership funding, to deliver regeneration projects that respect the historic environment. It will be consistent with and help achieve the council's commitments.
- 3.4 The Strategy has a number of priorities. The first of these is to provide effective specialist advice on proposals that would impact on heritage assets, as part of the Development Management service. Another priority is to reduce the number of heritage assets that are 'at risk'. This includes pro-actively seeking new uses for redundant or long term vacant listed buildings and bringing them back into good repair, as well as putting in place the necessary measures to address those conservation areas that are "at risk" (Benfield Barn; East Cliff; Queen's Park; Sackville Gardens; and Valley Gardens as explained in the Strategy).
- 3.5 In respect of listed buildings the Strategy proposes a new Supplementary Planning Document (SPD) to provide detailed policy guidance on alterations. It also proposes that the council takes the opportunity offered by new legislation that came into force in April 2014 to enter into a Listed Building Heritage Partnership Agreement with the University of Sussex and English Heritage in respect of the listed buildings on the campus. This will be one of the first such Agreements nationally.
- 3.6 A very high priority for early part of the Strategy period will be the adoption of a new Local List of heritage assets, and work is already in progress on this.
- 3.7 With regard to conservation areas it is proposed that priority be given to the review of those conservation areas that currently have no Character Statement at all in place. These are College, Old Town and Queen's Park. The Strategy sets out criteria for the designation of new conservation areas and proposes some areas for possible future consideration. However, the Strategy intends that no new conservation areas will be considered for designation until all existing conservation areas have a character statement in place. Further designations will be made only if the council is satisfied it can meet its consequential duties and responsibilities, which include producing character statements and enhancement plans, and that there is a strong local commitment.
- 3.8 The Strategy acknowledges that existing Article 4 Directions controlling some permitted development will in some cases need to be reviewed to ensure that all potentially harmful permitted development rights are included. After that any priority for introducing further Article 4 Directions will be given firstly to those conservation areas 'at risk' and after that to those areas where the need for such controls has already been established in a character statement. All such proposals would be subject to public consultation.

- 3.9 This revised Strategy has a section on Heritage Assets and Climate Change, in acknowledgement of the increasing importance of mitigating and adapting to the impacts of climate change on the historic environment. The priority action will be to produce a new web page on energy efficiency and historic buildings, with basic guidance on the typical types of works and links to sources of advice, including proposed technical guidance on energy efficiency and retrofitting.
- 3.10 Successful delivery of the Conservation Strategy will depend upon making the most effective use of the resources available. Increasingly it is anticipated that the council will need to look at opportunities to work with local community groups and amenity societies to help deliver joint aspirations for the conservation of historic areas.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The only alternative option would be not to review the Conservation Strategy. This would result in the absence of an up-to-date, long term strategic view on the city's historic environment, which is a key factor in attracting visitors and investment. The failure to retain and conserve heritage assets could lead to their eventual loss and could result in significant adverse publicity for the council.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Consultation was undertaken on the draft of the revised Conservation Strategy between 20 November and 24 December 2013. All local conservation and amenity societies covering historic areas of the city were consulted, together with groups or organisations representing local business and cultural interests, as well as Rottingdean Parish Council and English Heritage. A presentation was made to the Conservation Advisory Group and the draft Strategy was publicised on the council's website. The Diocese of Chichester was consulted during the drafting of the Strategy with regard to the updated situation on Anglican churches at risk.
- 5.2 A total of ten responses were received, in addition to the minuted comments of the Conservation Advisory Group. These are summarised at Appendix 2 together with an officer response to each comment.
- 5.3 Overall there was positive support for the document from most of the respondents. Many of the detailed comments related to matters of policy. However, the Conservation Strategy is primarily a long-term work programme not a policy document and therefore cannot itself address policy matters.
- 5.4 Of the other comments received a number of common themes emerged. There was a wish amongst some respondents, including the Conservation Advisory Group, for greater priority to be given to the designation of new conservation areas, with voluntary involvement of amenity societies. Designating a conservation area carries significant resource implications for the council, even with voluntary involvement. Such an approach would take priority away from the existing conservation areas that are 'at risk'. Further designations should only be made only if the council is satisfied it can meet its consequential duties and responsibilities, which include producing character statements and enhancement plans and putting in place regulatory controls such as Article 4 Directions.

- 5.5 There was also a wish amongst some respondents for greater priority to be given to updating some conservation area character statements. The Strategy sets out the criteria for reviewing character statements, which should only take place once all conservation areas have such a statement in place. Priority would then be given to those areas with an older character statement where there has been substantial change or where there is substantial pressure for change.
- 5.6 There was much support for further Article 4 Directions and the review of existing ones to cover front boundary walls and solar panels in particular. The draft reflected the concern of amenity groups and this support is welcomed. Nevertheless priorities must be carefully considered and these are set out in section 10 of the Strategy and remain unchanged from the draft. The resource implications of new Directions cover not only the resources involved in making them (including public consultation) but also the fact that planning applications that are necessary as a result of an Article 4 Direction do not attract a fee, whilst failure to comply with the Direction may create additional enforcement workload.
- 5.7 A common view was that greater emphasis should be placed on the conservation of the public realm in historic areas, including street lights, street trees, street signs, paving, communal bins and street furniture and that there should be a commitment to greater quality in the public realm and a commitment to the retention of historic features. In response to this section 12 of the Strategy has been expanded to confirm and clarify the importance of the public realm to the special interest of historic areas. However, most work to the public realm is outside the scope of planning controls and is subject to current and future council budgets. The Conservation Strategy cannot commit other council services to additional expenditure.
- 5.8 The restructure of the Planning & Building Control service followed from a customer service review.

6. CONCLUSION

- 6.1 The Conservation Strategy will reaffirm the council's long term commitment toward the conservation of Brighton and Hove's historic built environment. It will guide future work programmes and ensure that the city's historic built environment is managed in a co-ordinated, structured and corporate way that makes the most effective use of the resources available. It will be consistent with and help achieve the council's corporate goals and commitments.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs of updating the Conservation Strategy have been funded from existing revenue resources within the Planning & Building Control revenue budget. Any financial implications expected to arise from complying with and implementing elements of the Strategy will be funded from within existing revenue budgets.

It is anticipated that the reviewed strategy will assist in the making of bids for resources, including partnership funding to deliver regeneration projects.

Finance Officer Consulted: Steve Bedford

Date: 27/11/14

Legal Implications:

- 7.2 The Strategy will ensure that the council continues to meet its duties and responsibilities having regard to the Planning (Listed Buildings and Conservation Areas) Act 1990.

No adverse human rights implications arise from this report.

Lawyer Consulted: Hilary Woodward

Date: 3/12/14

Equalities Implications:

- 7.3 An Equalities Impact Assessment (EQIA) of the Conservation service in Planning was undertaken in 2010.

Sustainability Implications:

- 7.4 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy. But in terms of Sustainable Consumption and Production, the retention and timely repair of existing buildings reduces construction and demolition waste.

Any Other Significant Implications:

- 7.5 The Sustainable Community Strategy contains a commitment to implement the Conservation Strategy (which will be reviewed in 2013). The repair and reuse of historic buildings contributes towards the Corporate Plan 2011-15 priority of creating a more sustainable city and particularly the outcome of a healthier and higher quality built environment. The Corporate Plan includes a performance indicator that seeks a reduction in the number of listed buildings at risk.

SUPPORTING DOCUMENTATION

Appendices:

1. The Conservation Strategy 2015
2. Summary of Comments and Officer Responses

Documents in Members' Rooms

None.

Background Documents

1. The Conservation Strategy (2003)
2. Minutes of the Conservation Advisory Group of 9 December 2013
3. Written responses to the draft Conservation Strategy review.

