

Southend-on-Sea Borough Council

Report of Deputy Chief Executive

To

Cabinet

On

3rd November 2020

Report prepared by: Amy Roberts

**Agenda
Item No.**

**Conservation Area Appraisals – Hamlet Court Road draft Conservation Area Appraisal
Place Scrutiny Committee – Cabinet Member: Councillor Mulroney
Part 1 (Public Agenda Item)**

1. Purpose of Report

- 1.1 To brief Cabinet on the draft Conservation Area Appraisal produced for the Council by independent heritage experts, Purcell, which reviews and appraises the potential of Hamlet Court Road for Conservation Area status.
- 1.2 To seek agreement from Cabinet on the proposed approach to consulting on the draft Conservation Area Appraisal for this area (as set out in **Appendix A**), which has been produced following public consultation on an initial report that considered the potential of the area for Conservation Area status.

2. Recommendation

- 2.1 **To note the draft Conservation Area Appraisal (Appendix A) from Purcell, which sets out a potential area for Conservation Area designation at Hamlet Court Road and to agree this draft Appraisal for public consultation.**

3. Background

- 3.1 The Borough's designated Conservation Areas have special value for the community. They are visible links with our past and offer attractive contrasts to modern environments, and so it is important to ensure the special character of these areas are protected and sympathetic enhancements encouraged. This local distinctiveness can provide a catalyst for regeneration and inspire well designed new development.
- 3.2 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 3.3 The revised National Planning Policy Framework (2019) (NPPF) sets out the Government's policies for conserving and enhancing the historic environment and that in 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, ensuring that the concept of

conservation is not devalued through the designation of areas that lack special interest (NPPF paragraph 186).

- 3.4 The Council has a duty to review existing conservation area designations periodically to ensure they are up to date and relevant, and to determine if any further parts of the Borough should be designated as conservation areas. There are currently 14 Conservation Areas in Southend, some of which have adopted appraisals.
- 3.5 The Council has commissioned independent heritage consultants, Purcell, to undertake a review of all of the Borough's existing Conservation Area Appraisals and to produce appraisals for those Conservation Areas that do not currently have an appraisal in place. Purcell has also been tasked with considering potential new Conservation Area designations, and making informed recommendations to the Council as appropriate. This process has taken account of representations made during the Issues and Options stage of the Southend New Local Plan, which included comments suggesting Hamlet Court Road be considered.
- 3.6 To this end, the Hamlet Court Conservation Forum ('the Forum'), a highly motivated group focussed on the historic and conservation issues in respect of the Road, have had meetings, a walkabout and conversations with Purcell, giving them a unique opportunity to discuss the potential for designation. Their historic research in this field is duly acknowledged as assisting in the process. To summarise, feedback received from the Forum to date includes their view that while they support the designation of the upper section of Hamlet Court Road as a Conservation Area, a wider area warrants designation than that being proposed, including the southern section of Hamlet Court Road and surrounding residential streets (including Ditton Court Road, Cossington Road, Preston Road); that a conservation area designation here would be the forerunner to heritage led regeneration; that Hamlet Court Road has demonstrable architectural and historic interest for designation; that elements of the architectural character that have been eroded, such as shopfronts, could be suitably repaired and replaced over time; the permanent fabric of Hamlet Court Road, such as brickwork and stone, are mostly intact; that the planed verges in Ditton Court Road seem to be influenced by the Garden Suburb Movement, although no direct connection has been found of this to date.
- 3.7 Where information has been provided to the Council by the Forum, this has been shared with Purcell (with agreement from the Forum) in respect of their role in drafting the appraisal. The draft Conservation Area appraisal (**Appendix A**) includes a review of surrounding residential streets, includes reference to relevant examples of architectural influence and historical development of the area.
- 3.8 The draft Conservation Area Appraisal (**Appendix A**), presents a recommendation from independent heritage experts Purcell, that the Hamlet Court Road area (namely, the northern section of the street, south of the London Road) has special architectural / historic interest and should be considered for designation as a Conservation Area. The draft Appraisal has considered an area for wider study, and has reached the conclusion that it's the northern part of Hamlet Court Road (south of the London Road) that meets this

criteria. Where buildings in the wider area were recognised as having particular architectural/historical interest, these have been recommended in the draft Appraisal for Local Listing, as appropriate, given these buildings are more dispersed. The draft appraisal was presented to Planning and Environment Working Party in August 2020.

- 3.9 Cabinet's approval of the draft Conservation Area appraisal (**Appendix A**) is sought to move this work forward to statutory public consultation to allow residents and local businesses to put forward their views on the potential of the area for designation as a Conservation Area. This follows on from public consultation on an initial report earlier this year, which provided a high level view as to the potential of the area for Conservation Area status. The consultation was made available on line, with paper copies also available, drop-in sessions were held at the Civic Centre and letters were sent to residents/businesses in the area being suggested for consideration as a conservation area. The results of this consultation have been reviewed as part of the production of the draft appraisal, eight direct responses being received, generally supportive of further work being undertaken to review the potential of the area for Conservation Area designation, with some respondents commenting that the wider study area should be included in a Conservation Area boundary. Included within this was an initial response from Historic England, who welcomed the proposed designation of the northern part of the street as a Conservation Area, and suggested that due consideration is given to the wider study area as appropriate, recommending that a Conservation Area Appraisal is produced, to include a management plan [*this has now been produced and is subject of this report*]. The results of a survey undertaken by the Hamlet Court Conservation Forum were provided and reviewed as part of this work. These have been shared with Purcell and account has been taken of the responses, insofar as the results related to matters relevant to designating a conservation area. It is also important to note that further research may be needed at Essex Records Office to source images to include within the appraisal, which has been delayed due to the Office being closed due to COVID-19.
- 3.10 Following public consultation on the draft appraisal and taking account of representations made, the decision could be taken to recommend that the appraisal is adopted and the area formally designated as a Conservation Area. Once adopted by the Council, the Conservation Area Appraisal for Hamlet Court Road would form part of the evidence base to support the production of the Southend New Local Plan, helping to inform policy and development management decisions in the area.
- 3.11 An area's status as a Conservation Area is a material consideration for all planning applications and introduces some additional controls. This can include: the need to apply the conserve and enhance test as part of the decision making process (as set out in legislation and discussed further in the NPPF and the Planning Practice Guidance (PPG)), control over demolition of unlisted buildings, control over works to trees, limitation on the types of advertisements that can be displayed with deemed consent, support for the use of Article 4 directions to remove permitted development rights where avoidable damage is occurring and local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

- 3.12 The Council's adopted Development Plan (currently comprising of policies within the Core Strategy, Development Management DPD and Southend Central AAP in relation to heritage, to be reviewed as part of the production of the Southend New Local Plan) sets out the local policy approach to managing the historic environment, and these policies are also used to determine planning decisions relating to development in the Borough's Conservation Areas.
- 3.13 An area's status as a Conservation Area does not however prevent change from occurring, and Conservation Areas will over time be subject to many different pressures (both positive and negative) that could impact upon their character and appearance. It is, however, important that proposed alterations to properties in Conservation Areas are sympathetic to their character, and stricter design controls therefore apply. This may have cost implications for property owners, and could potentially make any regeneration more expensive.
- 3.14 Any future designation of Hamlet Court Road as a Conservation Area would however provide opportunity to conserve the historic character of the area, and may over time help to deter inappropriate development that erodes this character.

4 Other Options

- 4.1 That the draft appraisal from independent heritage experts Purcell is not publically consulted on, and further work into the potential for a Conservation Area designation at Hamlet Court Road is not further progressed. This would be contrary to the recommendations of Purcell based on the initial work undertaken to date and the outcome of the public consultation, and would not allow for public consultation on the appraisal. By moving forward with public consultation, it will be possible to collate the views of interested parties to determine whether a Conservation Area should be adopted at Hamlet Court Road.

5. Reasons for Recommendation

- 5.1 To facilitate public consultation on the draft appraisal from independent heritage experts Purcell, and to seek the views of local residents and businesses on the proposal to consider Hamlet Court Road for designation as a Conservation Area.

6. Corporate Implications

Contribution to the Southend 2050 Road Map

- 6.1 The Council's adopted Development Plan, to be reviewed as part of the production of the Southend New Local Plan, sets out the local policy approach to managing the historic environment, and these policies are also used to determine planning decisions relating to development in the Borough's Conservation Areas.
- 6.2 Delivery of the Local Plan is included as a Southend 2050 outcome on the Opportunity and Prosperity theme. The Conservation Area Appraisals, including consideration of Hamlet Court Road for designation, form part of the evidence base to support the development of the Local Plan, and will contribute towards the fulfilment of the Council's Southend 2050 ambition protecting and enhancing the natural and built environment.

Financial Implications

- 6.3 Financial and human resource input is necessary to fulfil the requirements of all stages in the preparation and delivery of a Conservation Area Appraisal.
- 6.4 The costs associated with preparing the Conservation Area Appraisal for Hamlet Court Road will be met from existing agreed budgets with the Director of Finance and Resources.

Legal Implications

- 6.5 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 6.6 The revised National Planning Policy Framework (2019) (NPPF) sets out the Government's policies for conserving and enhancing the historic environment and that in 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, ensuring that the concept of conservation is not devalued through the designation of areas that lack special interest (NPPF paragraph 186).
- 6.7 The Council has a duty to review existing conservation area designations periodically to ensure they are up to date and relevant, and to determine if any further parts of the Borough should be designated as conservation areas.

People Implications

- 6.8 Staff resources from the Strategic Planning Team will be required in order to contribute to the preparation of the Conservation Area Appraisal. Support from the Business Support Unit will be required, particularly with regards to the public consultation process.

Property Implications

- 6.9 The proposed area for further consideration for Conservation Area status includes a number of privately owned buildings, including commercial and residential premises at Hamlet Court Road.
- 6.10 Conservation Areas will over time be subject to many different pressures (both positive and negative) that could impact upon their character and appearance. It is important that proposed alterations to properties in Conservation Areas are sympathetic to their character, and stricter design controls therefore apply. This may have cost implications for property owners, and could potentially make any regeneration more expensive.
- 6.11 Any future designation of Hamlet Court Road as a Conservation Area would however provide opportunity to conserve the historic character of the area, and may over time help to deter inappropriate development that erodes this character.

Consultation

- 6.12 The Conservation Area Appraisals will be subject to public consultation which will be in accordance with the Council's adopted Statement of Community Involvement (SCI 2019). This has already included public consultation on the initial report from Purcell, followed by public consultation on a full appraisal should this be progressed.

Equalities and Diversity Implications

- 6.13 Conservation Area Appraisals will provide supporting evidence for the Southend New Local Plan. An equalities impact assessment will be produced for each iteration of the Plan as part of the Integrated Impact Assessment. The public consultation on the Conservation Area Appraisal will give the opportunity for different sections of the community to input into the proposals.

Risk Assessment

- 6.14 An area's status as a Conservation Area is a material consideration for all planning applications and introduces some additional controls. Any future designation of Hamlet Court Road as a Conservation Area, subject to public consultation, would provide opportunity to conserve the historic character of the area, and may over time help to deter inappropriate development that erodes this character. An area's status as a Conservation Area does not prevent change from occurring, and Conservation Areas will over time be subject to many different pressures, however without Conservation Area status there is a risk that the historic character of the area could be further eroded.

Value for Money

- 6.15 The Conservation Area Appraisal work, which includes the review of the existing conservation area appraisals as well as the consideration of new areas for appraisal, is being undertaken by independent heritage experts, Purcell, who bring significant professional expertise to the work, and have been working with Officers who bring local knowledge and experience to the project.

Community Safety Implications

- 6.16 None.

Environmental Impact – Sustainability Appraisal

- 6.17 The Conservation Area Appraisals will form part of the evidence base for the Southend new Local Plan, which will set out the local policy approach to managing the historic environment, and these policies will determine planning decisions relating to development in the Borough's Conservation Areas.
- 6.18 All iterations of the Local Plan will require Sustainability Appraisal to be undertaken. The Sustainability Appraisal is an assessment of the potential significant social, environmental and economic impacts of development. It forms an integral part of the plan making process. It ensures that all policies and proposals are prepared with a view to contributing to the achievement of sustainable development. The Sustainability Appraisal will be used to assist

decision making and identification of the most sustainable policies to take forward.

7. Background Papers

- 7.1 Planning (Listed Buildings and Conservation Areas) Act 1990
<http://www.legislation.gov.uk/ukpga/1990/9/contents>
- 7.2 National Planning Policy Framework (2019)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- 7.3 Planning Practice Guidance
<https://www.gov.uk/government/collections/planning-practice-guidance>
- 7.4 Southend Local Planning Framework
https://www.southend.gov.uk/info/200160/local_planning_framework
- 7.5 Southend new Local Plan – Issues and Options
<https://localplan.southend.gov.uk/>
- 7.5 Southend Statement of Community Involvement (2019)
<https://www.southend.gov.uk/downloads/file/6570/statement-of-community-involvement-sci-2019>
- 7.6 Southend 2050
<https://www.southend.gov.uk/southend2050/>

8. Appendices

Appendix A: (Draft) Conservation Area Appraisal – Hamlet Court Road

This can be accessed via the following link:

<https://fileshare.southend.gov.uk/wl/?id=NfqkRKEAMElu4uEpUjirXCAoowgGhV Vr>