

Southend-on-Sea Borough Council

Report of Deputy Chief Executive and Executive Director
(Growth & Housing)

To

Cabinet

On

14th September 2021

Report prepared by: Amy Roberts, Senior Planner

Agenda
Item No.

Conservation Area Appraisals

Relevant Scrutiny Committee(s): Place
Cabinet Member: Councillor C Mulroney
Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 To present to Cabinet the Conservation Area Appraisals (**Appendix 1 to 7**) produced for the Council by independent heritage experts, Purcell, for seven of the Borough's fourteen existing Conservation Areas, following recent public consultation.
- 1.2 To seek agreement from Cabinet that the Conservation Area Appraisals for Chapmanslord, Eastern Esplanade, Leigh Old Town, Prittlewell, Shorefields, The Kursaal, and Warrior Square Conservation Areas are adopted.
- 1.3 To note that Conservation Area Appraisals for the other seven Conservation Areas were also consulted on and that work is underway to prepare these for consideration by Cabinet later this year.

2. Recommendations

- 2.1 It is recommended that the updated and new Conservation Area Appraisal documents (Appendix 1 to 7) are adopted for the established Conservation Areas at Chapmanslord, Eastern Esplanade, Leigh Old Town, Prittlewell, Shorefields, The Kursaal and Warrior Square.

3. Background

Conservation Areas

- 3.1 The Borough's 14 existing designated Conservation Areas¹ have special value for the community. They are visible links with our past and offer attractive contrasts to modern environments, so it is important to ensure the special

¹ Chapmanslord, Clifftown, Crowstone, Eastern Esplanade, Leigh, Leigh Cliff, Leigh Old Town, Milton, Prittlewell, Shoebury Garrison, Shorefields, The Kursaal, The Leas, Warrior Square

character of these areas is protected and sympathetic enhancements encouraged. Acknowledging local distinctiveness and conserving heritage can be an important factor for regeneration and helps to 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 (2021) (NPPF) sets out the Government's policies for conserving and enhancing the historic environment, making clear 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 191).
- 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 a Conservation Area. There are currently 14 Conservation Areas designated in Southend, some of which have adopted Conservation Area appraisals to help detail and explain their architectural and historic qualities.
- 3.5 An area's status as a Conservation Area is a material consideration for 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 process², control over demolition of unlisted buildings, control over works to trees, and limitation on the types of advertisements that can be displayed with deemed consent. It can also provide support for the use of Article 4 directions to remove permitted development rights where avoidable damage is evidenced.
- 3.6 The Council's adopted Development Plan in relation to heritage currently comprises policies within the Core Strategy, Development Management Development Plan Document and Southend Central Area Action Plan (these will be reviewed as part of the production of the Southend New Local Plan) which sets out the local approach to managing the historic environment. These policies together with national planning policy, are used to determine planning decisions relating to development in the Borough's Conservation Areas.
- 3.7 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 have regard to Conservation Area status.
- 3.8 The Council commissioned independent heritage consultants, Purcell, to undertake a review and update of all the Borough's existing Conservation Area

² Set out in legislation and discussed further in the NPPF and the Planning Practice Guidance (PPG)

Appraisals and to produce appraisals for those Conservation Areas that do not currently have an appraisal in place.

Conservation Area Appraisals

- 3.9 The Conservation Area Appraisals (Appendix 1 to 7) present a review and update of existing Conservation Area Appraisals at Chapmanslord, Eastern Esplanade, Leigh Old Town, Prittlewell, and Warrior Square, along with new Appraisal documents to cover the Shorefields and The Kursaal Conservation Areas. They include a management plan for each area.
- 3.10 All the Conservation Area Appraisals referred to above were consulted on between November 2020 and January 2021, and comments received during the consultation have been considered during the process of preparing these documents for adoption (a summary of representations received for each Conservation Area subject of this report is included at Appendix 8). A brief overview of each Conservation Area, subject of this report, is set out below:
- 3.11 **Chapmanslord Conservation Area:** Designated in 2004 for its special interest as a planned estate developed in the 1920s by the Chapmanslord Housing Society as part of the Government's Homes for Heroes campaign after World War I. The area was last appraised in 2004. No changes to the Conservation Area boundary are proposed in the updated Appraisal. (**Appendix 1**)
- 3.12 **Eastern Esplanade Conservation Area:** Designated in 1989 and comprises a small terrace of early to mid-19th century cottages reputed to have been built for local fishermen, 40-57 (consecutive) Eastern Esplanade (40-45 Eastern Esplanade being Grade II listed). The area was last appraised in 2006. The new Appraisal does not propose any change to the Conservation Area boundary. (**Appendix 2**)
- 3.13 **Leigh Old Town Conservation Area:** Designated in 1977. The area was last appraised in 2010. The area's special interest derives from its industrial past which continues to drive the conservation area today. No changes to the Conservation Area boundary are proposed. (**Appendix 3**)
- 3.14 **Prittlewell Conservation Area:** Designated in 1995 and subsequently extended to include the surviving buildings from the former village which front the historic street. It includes buildings which illustrate the village's development through to the early 20th century, when it became part of a larger urban area. The area was last appraised (draft document) in 2003. No changes to the Conservation Area boundary are proposed. (**Appendix 4**)
- 3.15 **Shorefields Conservation Area:** Designated in 1981. The area developed in the late 19th century during the rapid expansion of Southend as a seaside resort. The area was last appraised in 2003. A minor amendment to the Conservation Area boundary is recommended to include part of a garage on Westcliff Avenue which is not shown in the current boundary. The amendment would ensure the whole garage is included. (**Appendix 5**)

- 3.16 **The Kursaal Conservation Area:** Designated in 1989, this area is associated both with Southend's origins and its later growth into a major port. It consists of The Kursaal (Grade II listed) and 1-6 Eastern Esplanade (1 and 6 being Locally Listed). The area does not currently have an appraisal in place. The new Conservation Area Appraisal does not propose any change to the Conservation Area boundary. (**Appendix 6**)
- 3.17 **Warrior Square Conservation Area:** Designated in 1990 to cover the terrace of houses to the north side of the Square plus the garden area of the square itself. The area was last appraised (draft document) in 2002. No changes to the boundary of the Conservation Area are proposed. (**Appendix 7**)

4. Other Options

- 4.1 That the Chapmanslord, Eastern Esplanade, Leigh Old Town, Prittlewell, Shorefields, The Kursaal and Warrior Square Conservation Area Appraisals are not adopted. This is not recommended however, as it would mean that each of these Conservation Areas does not have an up-to-date Appraisal and Management Plan in place. The new Conservation Area Appraisals are intended to assist in planning decisions and to help ensure that the character and appearance of these Conservation Areas are conserved and enhanced.

5. Reasons for Recommendations

- 5.1 Seven of the Borough's existing Conservation Areas have been appraised as part of this work and the Conservation Area Appraisals produced for them provide up to date evidence on each Conservation Area, any issues affecting them. They also provide a new management plan to help guide appropriate and sympathetic change within the area and highlight opportunities to enhance the character and appearance of these important heritage areas.

6. Corporate Implications

- 6.1 Contribution to the Southend 2050 Road Map

The Conservation Area Appraisals will contribute to the Southend 2050 Outcomes for Pride and Joy, 'there is a tangible sense of pride in the place and local people are actively, and knowledgably, talking up Southend', by focusing on the conservation of the Borough's historic environment and recognising the role heritage plays in creating a sense of pride in a place.

- 6.2 Environmental Impact

The Conservation Area Appraisals set out an approach for managing the historic environment, including recommendations for enhancements to the local streetscape which could lead to enhancements of the local built environment, as well as promoting the retention and appropriate use of existing historic buildings.

- 6.3 Financial Implications

Financial and human resource input is necessary to fulfil the requirements of all stages in the preparation and delivery of a Conservation Area Appraisal.

The costs associated with preparing Conservation Area Appraisals are met from existing budgetary resources within the service. The documents proposed for adoption do not propose any substantial changes to the existing conservation area boundaries. As such there are no significant financial implications arising from this review in relation to the ongoing management of the conservation areas themselves.

6.4 Legal Implications

Section 69 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (*the Act*) sets out that it is the duty of a Local Planning Authority from time to time to review its Conservation Areas and to determine whether any new areas should be designated as such.

Section 69 (4) of the Act sets out that the designation of any Conservation Area is considered as a local land charge. The Conservation Area Appraisals subject of this report do not propose any substantial changes to existing Conservation Area boundaries and are already recognised as a local land charge. The minor boundary change to Shorefields Conservation Area will be updated accordingly.

Section 70 (5) of the Act requires the Local Planning Authority to notify the Secretary of State in regard to the designation of any part of their area as Conservation Area under section 69 (1) or (2) and of any variation or cancellation. Section 70 (8) requires that notification of any designation, variation or cancellation is published in a local newspaper circulating in the local authority area. This will be undertaken following agreement of the Appraisals for adoption.

The revised National Planning Policy Framework (2021) (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 191). Due consideration has been had to this provision of the NPPF during the production of the Conservation Area Appraisals.

6.5 People Implications

Staff resources from the Strategic Planning Team have been required in order to contribute to the preparation of the Conservation Area Appraisals. Support from the Business Support Unit has also been required, particularly with regards to the public consultation process.

6.6 Property Implications

Each of the Conservation Areas included within the scope of this report include a range of privately and publicly owned buildings, including commercial and residential premises.

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, however Conservation Areas provide opportunity to conserve the historic character of the area and may over time help to deter inappropriate development that erodes this character. The Conservation Areas subject of this report are well established and recognised designations, but this work provides the opportunity to review these areas (in line with the requirements of national planning policy and relevant legislation) and provide an up-to-date account of their character and appearance, highlighting how this could be conserved and enhanced.

Of the seven Conservation Area Appraisals being presented as part of this report, one minor boundary change is proposed to the Shorefields Conservation Area designation. The change seeks to include part of a garage on Westcliff Avenue within the Conservation Area, to ensure the whole garage is included (a small area of the garage wasn't shown in the Conservation Area boundary).

Section 69 (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that the designation of any Conservation Area is considered as a local land charge. The Conservation Area Appraisals subject of this report do not propose any substantial changes to existing Conservation Area boundaries and are already recognised as a local land charge. The minor boundary change to Shorefields Conservation Area will be updated accordingly.

6.7 Consultation

All Conservation Area Appraisals that are subject to public consultation are consulted on in accordance with the Council's adopted Statement of Community Involvement (SCI 2019). This has included public consultation on all fourteen Conservation Area Appraisals between November 2020 and January 2021. The comments received during the public consultation have been reviewed and the Conservation Area Appraisals reviewed following this consultation and are presented for agreement for adoption. Where considered necessary minor updates have been made to the appraisals to correct typos, add in further detail regarding the history of a building/area where this was received, or to provide further clarification. A summary of representations received during the consultation period can be found in **Appendix 8**.

6.8 Equalities and Diversity Implications

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 Appraisals has provided the opportunity

for different sections of the community to input into the proposals. No significant equalities or diversity issues have been raised through this process.

6.9 Risk Assessment

An area's status as a Conservation Area is a material consideration for all planning applications and introduces some additional controls (including control of works to trees, control over demolition of an unlisted building, limitations on the types of advertisements that can be displayed with deemed consent). Conservation Areas 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.

6.10 Value for Money

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. This approach is considered to strike the correct balance between making the best use of the available staffing resources and ensuring that this work is brought forward in good time.

6.11 Community Safety Implications

None.

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 (2021)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf

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 (2020)

<https://localplan.southend.gov.uk/sites/localplan.southend/files/2021-03/Southend%20SCI%202020.pdf>

7.6 Southend 2050
<https://www.southend.gov.uk/southend2050/>

7.7 Southend Conservation Areas
<https://www.southend.gov.uk/conservation-areas>

8. Appendices

Appendix 1: Chapmanslord Conservation Area Appraisal

Appendix 2: Eastern Esplanade Conservation Area Appraisal

Appendix 3: Leigh Old Town Conservation Area Appraisal

Appendix 4: Prittlewell Conservation Area Appraisal

Appendix 5: Shorefields Conservation Area Appraisal

Appendix 6: The Kursaal Conservation Area Appraisal

Appendix 7: Warrior Square Conservation Area Appraisal

Appendix 8: Summary of Consultation Feedback