

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**20 APRIL 2006**

**REPORT OF  
CORPORATE  
MANAGEMENT TEAM**

### **CABINET DECISION/COUNCIL DECISION KEY DECISION**

**Regeneration and Transport – Lead Cabinet Member – Councillor Cook**

#### **THE DRAFT CONSERVATION AND HISTORIC ENVIRONMENT FOLDER**

1. Summary

This report presents to Members the draft “Conservation and Historic Environment Folder” (available in Member’s Library) that will inform and add value to the existing policies set out in the Adopted Local Plan and legislation. The Borough’s rich history of the built environment is brought together for the first time here in this draft Conservation and Historic Environment Folder. Whilst the Folder is aimed at the development industry for use in Town Planning, it is hoped that it will also be used as a point of reference for local people to understand where their towns and villages have come from. As Supplementary Planning Document the Conservation and Historic Environment Folder will sit within the Council’s Local Development Framework and is accompanied by a draft Sustainability Appraisal which includes the requirements of Strategic Environmental Assessment.

2. Recommendations

Recommendation to Council: -

- (i) Consider and approve the principal content of the Conservation and Historic Environment Folder so that it may be put forward for public consultation, leading to its adoption for use as a material planning consideration in determining planning applications.
- (ii) That delegated Authority be granted to the Head of Planning and the Cabinet Member for Regeneration and Transport to make any minor modifications to the Conservation and Historic Environment Folder prior to its formal publication.

3. Reasons for the Recommendations/Decision(s)

The Borough’s rich history of the built environment is brought together for the first time here in this “Conservation and Historic Environment Folder”. The Folder is divided into sections covering all aspects of historic sites, buildings and monuments in the area, and seeks to simplify the legislation surrounding

them, the role they play within the Borough, and what may be done to maintain them for future generations to enjoy.

It is a requirement of PPG15 that Conservation Area Appraisals and Management Plans are prepared, and this coupled with the fact that the existing advice leaflets are in need of updating, has led to this comprehensive document being prepared.

Clearly such a comprehensive document will be very large, and therefore in order to make it easier to read the Folder has been broken down into four geographic areas:

- Northern
  - Including Billingham and Wynyard Village
- Eastern
  - Including Thornaby and Ingleby Barwick
- Western
  - Including Yarm and Eaglescliffe
- Central
  - Including Stockton and Norton

#### 4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.**

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**CABINET DECISION/COUNCIL DECISION / KEY DECISION**

**DRAFT CONSERVATION AND HISTORIC ENVIRONMENT FOLDER**

**SUMMARY**

This report invites the Cabinet to consider and endorse the content of the draft Conservation and Historic Environment Folder so that it may be published for a period of 6 weeks public consultation prior to adoption as Supplementary Planning Document.

**RECOMMENDATIONS**

Recommendation to Cabinet:-

- (i) Consider and approve the principal content of the draft Conservation and Historic Environment Folder so that it may be put forward for public consultation, leading to its adoption for use a material planning consideration in determining planning applications;
- (ii) That delegated Authority be granted to the Head of Planning and the Cabinet Member for Regeneration to make any minor modifications to the draft Conservation and Historic Environment Folder prior to its formal publication.

**DETAIL**

Background

1. The Sustainability Appraisal Scoping Report was published for a five week consultation period. Comments were received from the Environment Agency, Countryside Agency, Tees Archaeology, CPRE and English Heritage. These have been duly considered and used to inform the preparation of the draft Sustainability Appraisal.
2. The Borough's rich history of the built environment is brought together for the first time here in this "Conservation and Historic Environment Folder". Whilst the Folder is aimed at the development industry for use in Town Planning, it is hoped that it will also be used as a point of reference for local people to understand where their towns and villages have come from, and perhaps where they are going.
3. It is a requirement of PPG15 that Conservation Area Appraisals and Management Plans are prepared, and this coupled with the fact that the existing advice leaflets are in need of updating, has led to this comprehensive document being prepared.

4. This exercise has been undertaken. The Draft Conservation and Historic Environment Folder and the accompanying draft Sustainability Appraisal are large documents and for logistical reasons copies are available in the Member's Library rather than attached here.
5. The Folder is divided into sections covering all aspects of historic sites, buildings and monuments in the area, and seeks to simplify the legislation surrounding them, the role they play within the Borough, and what may be done to maintain them for future generations to enjoy.
6. Clearly such a comprehensive document will be very large, and therefore in order to make it easier to read the Folder has been broken down into four geographic areas:
  - Northern
    - Including Billingham and Wynyard Village
  - Eastern
    - Including Thornaby and Ingleby Barwick
  - Western
    - Including Yarm and Eaglescliffe
  - Central
    - Including Stockton and Norton
7. Government advocates the need for consultation with the general public, businesses and other interested bodies before they are formally adopted by a Council resolution. In accordance with this, the draft Conservation and Historic Environment Folder was put before Planning Committee on 19 April, and following approval by full Council will be published for public consultation.

#### Future Steps

8. The procedure for the adoption of supplementary planning document is streamlined and is not subject to an independent Examination, although the underlying principles of 'soundness' still apply. Central Government advocates the need for consultation with the general public, businesses and other interested bodies before they are formally adopted by a Council resolution. The length of consultation must be no less than four weeks and no more than six weeks in accordance with the Regulations 2004. There is no right of appeal to its content or to have it tested via an Independent Examination, although the underlying principles of 'soundness' still apply. Upon adoption, a statement of consultation must be prepared setting out a summary of the main issues raised in the representations and how these main issues have been addressed.
9. In accordance with the Council's submission draft of the Statement of Community Involvement, the consultation period will be for six weeks.
10. Following the Consultation period and any amendments necessary, the revised Conservation and Historic Environment Folder will be put before Planning Committee and Cabinet and full Council for Adoption and subsequent use in determining Planning Applications.

#### **FINANCIAL AND LEGAL IMPLICATIONS**

11. N/A

## COMMUNITY STRATEGY IMPLICATIONS

12. Within the Stockton Community Plan, the following specific actions are identified which are germane to the preparation of the draft Conservation and Historic Environment Folder: -
- Involving the Community in local land use planning
  - Improve the quality of the built environment.

## CONSULTATION INCLUDING WARD COUNCILLORS

13. English Heritage and Tees Archaeology were involved in the preparation of the draft Conservation and Historic Environment Folder. On 19 April 2006 Planning Committee were also invited to comment on the proposed revisions attached to this document. Given the short time between these meetings, any responses made by that Committee will be reported verbally to the Cabinet.
14. Following approval by this Cabinet, the document will be published for public consultation. Representations made to the draft Conservation and Historic Environment Folder will be considered and where necessary changes will be made.

## RISK ANALYSIS

15. It is considered that there is no significant risk associated with the adoption of the Conservation and Historic Environment Folder as upon adoption it cannot be challenged through the planning process, although a legal challenge is possible within 6 weeks of Adoption.
16. Conversely, if the Council does not adopt the Conservation and Historic Environment Folder, it may weaken in its stance in refusing any inappropriate planning applications.

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<u>Background Papers</u>	Stockton on Tees Local Plan Report to Planning Committee 19 April 2006
<u>Education Related Item?</u>	no
<u>Ward(s) and Ward Councillors:</u>	ALL
<u>List of Annexes</u>	Documents are held in the Member's Library (Draft Conservation and Historic Environment Folder Document and Draft Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment for the Conservation and Historic Environment Folder Supplementary Planning Document)