

**SPD4: THE CONSERVATION AREAS AND HISTORIC ENVIRONMENT FOLDER
SUPPLEMENTARY PLANNING DOCUMENT**

SUMMARY

1. This report presents to Members the “Conservation Areas 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 Areas 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 Areas and Historic Environment Folder will sit within the Council’s Local Development Framework and is accompanied by a Sustainability Appraisal.
2. The Conservation Areas and Historic Environment Folder (CaHEF) has undergone a Sustainability Appraisal (SA) incorporating the requirements of Strategic Environmental Assessment (SEA) also to be endorsed and Adopted, and published as part of the main SPD.

RECOMMENDATION

3. Members are recommended to: -
 - i) Consider and approve the content of the Conservation Areas and Historic Environment Folder so that it may be put forward to Cabinet, and then adopted as a Supplementary planning Document for use as a material planning consideration in determining planning applications.
 - ii) Given the short timescales between Planning Committee and Cabinet, grant delegated authority to the Head of Planning and the Cabinet Member for Regeneration to approve any amendments prior to Cabinet.

BACKGROUND

4. Members will note the “Draft Conservation Areas and Historic Environment Folder” Planning Committee Item of 19 April 2006 (Minute Number 82). 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.
5. The Conservation Areas and Historic Environment Folder is intended to complement and enhance legislative protection and policy requirements set out in the adopted Stockton-on-Tees Local Plan (1997), and any Planning Policy Guidance and other legislation. It is aimed at the development industry for use in Town Planning and 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.

6. Under the Planning and Compulsory Purchase Act 2004, the Conservation Areas and Historic Environment Folder will be adopted as a Supplementary Planning Document and form part of the Council's Local Development Framework. This Conservation Areas and Historic Environment Folder will therefore be given "substantial weight" as a material consideration for the purposes of decision-making. This weight would be attached because the Conservation Areas and Historic Environment Folder has been given consideration in a democratic process of consultation and subsequent Member approval. However, where there are material circumstances, it may be set aside.
7. 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.

CONSERVATION AREAS AND HISTORIC ENVIRONMENT FOLDER

8. The draft Conservation Areas and Historic Environment Folder and associated draft Sustainability Appraisal were published for a six week consultation period which ended on 3 July 2006. A number of comments were received from interested parties, and these have been duly considered and used to inform the preparation of the final version of the SPD and SA. Attached at Appendix 1 is a "Consultation Statement" setting out the Council's consultation steps, together with a schedule of responses received to both the CaHEF document and also to the SA document, presented with the Council's responses. This schedule forms part of the SPD. Given the size of the SPD document, it is considered uneconomical to include all of the document as an appendix to this report, and so Members wishing to read the revised final draft of the CaHEF will find copies in the Members' Library, Planning Reception, or from Fiona Short (contact details below).
9. Having considered the responses received, some minor amendments have been made, however there are just two significant changes proposed to the CaHEF content:
 - a. the proposed 'blanket' application of Article 4 Directions which remove certain Permitted Development Rights from buildings in Conservation Areas. English Heritage suggest a cautious approach and advocate further consultation before applying additional controls on households in the form of Article 4 Directions. It is considered that this is a sensible response, and so the Management Plan has been amended to undertake further consultation regarding this issue, as opposed to simply applying the controls.
 - b. The intention was originally to prepare 4 smaller "folders", however it has proven from the consultation process that a single folder made up of individual documents is preferred, and therefore the CaHEF will be published in such a format.

FUTURE STEPS

10. Having undertaken a 6-week consultation period and considered the responses with reasons for accepting or rejecting them given, 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. This is included in the SPD and in Appendix 1 of this report.

11. Following Planning Committee endorsement, the CaHEF and SA will be put before Cabinet for their consideration, and then it shall be adopted and published for use in determining Planning applications, and the actions set out in the Management Plan may be pursued to begin steps to improve the Conservation Areas.
12. The proposed Local List has received a number of nominations in Eaglescliffe, but few in other areas. It is felt that additional time should be given to allow further nominations for this list, and then the process set out in the document for Adopting the list can be followed. A report will be made to Planning Committee and Cabinet for approval in due course.

RECOMMENDATION

13. I) Consider and approve the content of the Conservation Areas and Historic Environment Folder so that it may be put forward to Cabinet, and then adopted as a Supplementary planning Document for use as a material planning consideration in determining planning applications.
 - ii) Given the short timescales between Planning Committee and Cabinet, grant delegated authority to the Head of Planning and the Cabinet Member for Regeneration to approve any amendments prior to Cabinet.

Corporate Director of Development and Neighbourhood Services.

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Background Papers – Stockton-on-Tees Local Plan, Planning Policy Guidance 15, Planning Committee minutes of 19 April 2006 (Minute Number 82), Cabinet minutes of 20 April 2006 (Minute Number 41), Council Decision 3 May 2006 (Minute Number 59)

Financial Implications – N/A

Environmental Implications - N/A

Community Safety Implications - N/A

Human Rights Implications - The provisions of the European Convention of Human Rights 19950 has been taken into account in the preparation of this report.

Ward and Ward Councillors – ALL

List of Annexes

Appendix 1: Schedule of representations and Council Responses, and Statement of Consultation.

Note: Main Documents are held in the Members' Library (Conservation Areas and Historic Environment Folder Document and Sustainability Appraisal incorporating the requirements of Strategic Environmental Assessment for the Conservation Areas and Historic Environment Folder Supplementary Planning Document)