

For General Release

REPORT TO:	CABINET 22 June 2015
AGENDA ITEM:	11
SUBJECT:	Beulah Hill, Church Road and Harold Road Conservation Area Appraisals and Management Plans Supplementary Planning Documents - Adoption
LEAD OFFICERS:	Jo Negrini, Executive Director of Place
CABINET MEMBER:	Councillor Alison Butler, Deputy Leader (Statutory) and Cabinet Member for Homes, Regeneration & Planning
WARDS:	Upper Norwood and South Norwood
<p>CORPORATE PRIORITY/POLICY CONTEXT:</p> <p>As a Local Planning Authority, the Council has the following statutory duties in relation to conservation areas:</p> <p><i>It shall be the duty of the local planning authority from time to time to formulate and publish proposals for the preservation and enhancement of any parts of their area which are Conservation Areas' (s.71 (1) Planning (Listed Buildings and Conservation Areas) Act 1990).</i></p> <p>The production of the Conservation Area Appraisals and Management Plans enables Croydon Council to fulfil:</p> <ul style="list-style-type: none"> • The formulation and publication of proposals for the preservation and enhancement of conservation areas. • In the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. 	
<p>FINANCIAL IMPACT</p> <p>The recommendations of this report can be funded from the existing Spatial Planning Service budget for 2015/16.</p>	
<p>KEY DECISION REFERENCE NO:</p> <p>This is not a key executive decision. As part of the core policy framework it is reserved to Council for decision.</p>	

<p>1. RECOMMENDATIONS</p> <p>The Cabinet is asked to consider the representations received to the consultations on the Beulah Hill, Church Road and Harold Road Conservation Area Appraisals and Management Plans Supplementary Planning Documents and the Council's response as detailed in section 4 and appendix 4 and recommend the Council to:</p>
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- 1.1 Adopt the draft Beulah Hill Conservation Area Appraisal and Management Plan (CAAMP) Supplementary Planning Document. (Appendix 1).
 - 1.2 Adopt the draft Church Road Conservation Area Appraisal and Management Plan (CAAMP) Supplementary Planning Document (Appendix 2).
 - 1.3 Adopt the draft Harold Road Conservation Area Appraisal and Management Plan (CAAMP) Supplementary Planning Document (Appendix 3).
 - 1.4 Agree that the Director of Planning and Strategic Transport in consultation with the Cabinet Member for Housing and Regeneration be given delegated authority to make minor factual or evidence base related changes to the above-named documents referred to in paragraph 1.1 -1.3 prior to their adoption publication.
- The Cabinet is recommended to:
- 1.5 Note that the Council has undertaken a screening exercise with the statutory bodies to confirm the Conservation Area Appraisal and Management Plans (CAAMP) Supplementary Planning Documents are not required to be supported by a Sustainability Appraisal and Strategic Environmental Assessment.

2.0 EXECUTIVE SUMMARY

- 2.1 The Borough has 21 designated Conservation Areas which recognise specific areas that possess special architectural or historic interest, the character and appearance of which is desirable to preserve or enhance. The attributes that exist within our conservation areas frequently contain rich diversity and interest which distinguish these areas as locally distinctive and contribute to the rich cultural history and regeneration of the borough. It is the Council's duty under Section 71 of the 1990 Planning (Listed Buildings and Conservation Areas) Act to formulate and publish conservation area documentation. The recommendations of this report are part of a wider project to produce for the first time, up to date consistent guidance documents for all 21 of our Conservation Areas.
- 2.2 National Planning Policy, the London Plan and Croydon Local Plan: Strategic Policies - Policy SP4.2 require Local Authorities to preserve and enhance conservation areas through identifying the special character of each conservation area and outlining how these characteristics can be managed through the retention, development and maintenance of the built environment within conservation areas. Historic England recommends that every conservation area has its own Conservation Area Appraisal and Management Plan (**CAAMP**).
- 2.3 Guidance from Historic England defines what are likely to be the key elements of the special character of conservation areas. These are described in 3.1.5.
- 2.4 The key anticipated benefits of the use of the CAAMPs by applicants and their consultants, planning officers and the public are defined in 3.1.6.

2.5 Delegated authority was granted to the Spatial Planning Service to by the Cabinet Member for Housing and Regeneration Cllr Butler to consult on the draft SPDs on 10 December 2014 and the minute reference is 31/14/HR. Consultation on the draft documents took place over a six week period between 26 January- 9 March 2015.

3.0 DETAIL

3.1 CONSERVATION AREA APPRAISALS AND MANAGEMENT PLANS

3.1.1 Croydon Council is in the process of producing and updating Conservation Area Appraisals and Management Plans (**CAAMPs**) for each of its 21 Conservation Areas.

3.1.1 A conservation area is an area of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance. Conservation areas are 'designated heritage assets', of national historic or architectural significance. Conservation areas are also subject to national planning policies under the National Planning Policy Framework (NPPF).

3.1.2 National Planning Policy, The London Plan and Local Planning Policy requires Local Authorities to preserve and enhance conservation areas through the identification of the special character of each conservation area and stating how these characteristics can be managed through the retention, development and maintenance of the built environment within conservation areas. Historic England recommends that every conservation area has its own CAAMP.

3.1.3 At the Council meeting of 22 April 2013 Croydon Council adopted the Conservation Area General Guidance SPD which provides guidance that applies to all of Croydon's conservation areas so it does not require repeating in the CAAMPs. The CAAMPs should be read in conjunction with the Conservation Area General Guidance SPD.

3.1.4 Guidance from Historic England states that key elements of the special character of conservation areas are likely to be:

- The relationship of the conservation area to its setting and the effect of that setting on the area
- The still-visible effects/impact of the area's historic development on its plan form, character and architectural style and social/historic associations
- How the places within it are experienced by the people who live and work there and visitors to the area
- Architectural quality and built form
- Open spaces, green areas, parks and gardens, and trees
- Designated and other heritage assets, their intrinsic importance and the contribution they make to the area
- Local distinctiveness and the sense of place which make the area unique

3.1.5 The key anticipated benefits of the use of the CAAMPs by applicants, planning officers and residents are as follows:

- As material planning considerations when determining planning applications within conservation areas CAAMPs are likely to lead to an increase in the quality of the design of development within conservation areas that preserve and enhance their special character. The CAAMPs will inform applicants of the various aspects of the built environment of conservation areas that make up their special character and will provide clear guidance about what types of development would be considered acceptable within them;
- An increase in the efficiency of the planning application process for sites within conservation areas through reference to clear and concise information;
- An increased sense of pride amongst residents of conservation areas as a result of raising knowledge and awareness of the value of their local area through the consultation process;
- This increased sense of pride is more likely to incentivise property owners in conservation areas to engage in the protection and enhancement of the areas through commissioning works to their properties that are sympathetic to the special character of the conservation area and reporting development that does not have the necessary planning consents to the Council.

3.1.6 If the draft CAAMPs are adopted the Council may consider the serving of Article 4 Directions for some properties whose special character is at risk from the exercising of permitted development. An Article 4 Direction is a direction which withdraws automatic planning permission granted by the General Permitted Development Order.

3.2 Legal and Policy justification

3.2.1 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the Act”) imposes a duty on Local Authorities to have special regard for the preservation or enhancement of conservation areas. Sections 66 and 73 of the Act require Local Authorities to have special regard to conservation areas when making planning decisions. This requirement is reinforced in the London Plan, the Croydon Local Plan: Strategic Policies and the Saved Policies of the Croydon Replacement Unitary Development Plan.

3.2.2 If Cabinet recommends and Full council decide to adopt the draft CAAMPs, they will be adopted as SPDs to give them weight as material planning considerations when determining planning applications. The Council has undertaken a screening exercise with the statutory bodies (Environment Agency, Natural England and Historic England) to confirm the Conservation Area Appraisal and Management Plans (CAAMP) Supplementary Planning Documents are not required to be supported by a Strategic Environmental Assessment as defined by the Environmental Assessment of Plans and Programmes Regulations 2004.

3.3 Content of CAAMPs

The Appraisal of the draft CAAMPs have chapters covering Context, Townscape Character, Streetscape Character, Architectural Character, Character Areas (if applicable) and Condition and Threats. The Management Plans of the draft CAAMPs has chapters covering Additional Considerations, Development Guidelines and Enhancement.

3.4 Context in relation to the Croydon Local Plan

The current CAAMPs work directly relates to the wider characterisation and place-based approach that is being developed as part of the Croydon Local Plan: Detailed Policies and Proposals and already adopted as part of the Croydon Local Plan: Strategic Policies.

4.0 CONSULTATION

4.1 A formal public consultation has occurred on the Beulah Hill, Church Road and Harold Road Conservation Area Appraisals and Management Plans Supplementary Planning Documents and Croydon Council has worked closely with the local community:

- The North Croydon Conservation Area Advisory Panel was asked to complete a questionnaire about the conservation area they represent and the relevant Resident Associations;
- The Norwood Society and Crystal Palace Community Association, were also sent the short questionnaire about the conservation area in which the residents they represent reside.

4.1.1 The formal consultation process for the draft CAAMPs SPD for the Beulah Hill, Church Road and Harold Road Conservation Areas adhered to the Council's adopted Statement of Community Involvement (2012) and also the statutory requirements of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Consultation comprised of the following:

- Electronic versions of the draft CAAMPs were made available for download from the Council's website and hard copies were available in local libraries.
- Letters sent to every affected owner and occupier within each conservation area for which a draft CAAMP was produced
- Site notices at several locations within each conservation area for which a draft CAAMP was produced.
- An advertisement in the Croydon Guardian newspaper
- A drop-in was held on Thursday 12 February at the Living Waters Café (40 people attended)
- An exhibition explaining the draft SPDs was on display at the public consultation event

4.2 The Consultation Response Process

- 4.2.1 A consultation log for each SPD consulted on has been created to record all representations and the Council's responses to them (Appendix 4).
- 4.2.2 The draft CAAMPs SPDs for the Beulah Hill, Church Road and Harold Road Conservation Areas have been revised where appropriate in response to relevant comments and feedback.
- 4.2.3 If requests for amendments to the SPDs through representations are not considered justifiable and / or to comply with existing planning policy and guidance they have not been made. The reasoning behind decisions is provided in the consultation log.
- 4.2.4 The consultation logs for the CAAMPs will form part of consultation statements for the SPDs that will be published alongside the adoption statement for the SPDs.

4.3 Consultation Responses: CAAMPs

- 4.3.1 Twenty-three comments were received on the draft Beulah Hill CAAMP SPD, 78 comments were received on the Church Road CAAMP and 80 comments were received on the Harold Road CAAMP SPD. 180 were received that applied to all of the CAAMPs. (See Appendix 4: 'Consultation Log: CAAMPs')
- 4.3.2 There are no major changes required as a result of consultation.
- 4.3.3 Minor amendments have been made to the boundary due to comments received regarding streets and buildings the Council should review. Minor amendments were made to the documents mainly to increase clarity.
- 4.3.4 To view all the comments and responses to them see Appendix 4: Consultation Log: CAAMPs'.

5.0 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Revenue and Capital consequences of report recommendations

The recommendations of this report can be funded from the existing Spatial Planning Service budget for 2015/16.

5.2 The effect of the decision

- 5.2.1 Endorsing the recommendation to adopt the draft SPDs triggers publication for adoption.

5.3 Risk

There is a risk that a Judicial Review is pursued by a party that objects to the content of the CAAMPs SPDs. If this occurs grounds for a Judicial Review will have to be justified and demonstrate that the SPDs have not been produced in accordance with planning legislation.

5.4 Future savings/efficiencies

If they are adopted the CAAMPs for Beulah Hill, Church Road and Harold Road will provide clear guidance for residents, developers and the development management service at Croydon Council. This will result in more certainty over what constitutes acceptable development in these areas which should increase the efficiency of the development management process.

5.5 Approved by: Dianne Ellender Head of Finance and Deputy S151 Officer

6.0 COMMENTS OF THE BOROUGH SOLICITOR AND MONITORING OFFICER

6.1 The Solicitor to the Council comments that based on the information detailed in this report, the Beulah Hill, Church Road and Harold Road Conservation Area Appraisals and Management Plans Supplementary Planning Documents have been produced and consulted on in accordance with Town and Country Planning (Local Planning) (England) Regulations 2012.

6.2 There are no other legal considerations beyond those set out in the body of the report.

6.3 Approved by: Gabriel MacGregor, Head of Corporate Law on behalf of the Borough Solicitor and Monitoring Officer

7.0 HUMAN RESOURCES IMPACT

7.1 There are no direct human resource implications arising from this report, beyond those planned for within the Spatial Planning Service.

7.2 Approved by Adrian Prescod, HR Business Partner, for and on behalf of Director of HR, Resources Department.

8.0 EQUALITIES IMPACT

8.1 The Croydon Local Plan – Strategic Policies Equalities Impact Assessment (EqIA) applies to all the *Conservation Area Appraisals and Management Plans* that are proposed for consultation.

8.2 The EqIA for the Croydon Local Plan: Strategic Policies, September 2011, did not identify any potential adverse impacts as a result of the Heritage and the Built Environment policy CS8 (renamed Urban Design and Local Character policy SP4 in the adopted Croydon Local Plan). The assessment identified some elements of the Croydon Local Plan which might have a significant impact on the equality groups. The negative impact identified in connection with the Heritage and the Built Environment, policy CS8, was the lack of accessibility to historic buildings, and that communities don't feel served by historic buildings, with distinctiveness at the expense of equality and diversity commitments. As a consequence the Croydon Local Plan policy SP4 was

amended to include policy (SP4.11) that states `The Council and its partners will promote the use of heritage assets and local character as a catalyst for regeneration and cohesion and to strengthen the sense of place`, and SP4.15 that states `The Council and its partners will promote improvements to the accessibility of heritage assets to allow enjoyment of the historic environment for all.`

8.3 The Equalities Impact Assessment - Croydon Local Plan: Strategic Policies concluded `The assessment has found that the Core Strategy is overall very supportive of equality groups addressing spatial inequality in the borough, and considering the needs and priorities of all sections of the community by: (The EA then listed 6 points, the 6th being) `Seeking to conserve and create spaces and buildings that are safe, accessible and that foster cohesive communities`.

8.4 The Equalities Impact Assessment - Croydon Local Plan: Strategic Policies will enable the Council to ensure that it meets the statutory obligation in the exercise of its functions to address the Public Sector equality duty (PSED). This requires public bodies to ensure due regard to the need to advance equality of opportunity; foster good relations between people who share a "protected characteristic" and those who do not and take action to eliminate the potential of discrimination in the provision of services.

8.5 Nothing came out of the consultation that indicated any additional matters that should be considered in the context of the Council's public sector equalities duty.

9.0 ENVIRONMENTAL IMPACT

9.1 *Conservation Area Appraisals and Management Plans* encourage the protection and enhancement of the special character of the built environment of conservation areas, sustainable construction and therefore approving the recommendations of the report is likely to have a positive environmental impact.

10.0 CRIME AND DISORDER REDUCTION IMPACT

10.1 This report has no direct impact on Crime and Disorder reduction.

11.0 REASONS FOR RECOMMENDATIONS/PROPOSED DECISION

11.1 To comply with statutory obligations and to improve the preservation and enhancement of conservation areas in Croydon through the production of Conservation Area Appraisal and Management Plans.

12.0 OPTIONS CONSIDERED AND REJECTED

12.1 The other option would be to not produce any conservation area Supplementary Planning Documents, which as outlined above, is a statutory obligation. This would mean that there would be no Conservation Area Appraisal and Management Plans for the Church Road, Beulah Hill and Harold Road Conservation Areas, which would lead to planning applications being

determined on the basis of existing planning policy and guidance that is not considered to be sufficiently detailed or area-specific and would create a tension with the Council's statutory obligation.

CONTACT OFFICER: Tim Naylor, Head of Spatial Planning ext 62615

BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972: none

APPENDICES (e-copy only)

Appendix 1: Beulah Hill Conservation Area Appraisal and Management Plan (draft Supplementary Planning Document)

Appendix 2: Church Road Conservation Area Appraisal and Management Plan (draft Supplementary Planning Document)

Appendix 3: Harold Road Conservation Area Appraisal and Management Plan (draft Supplementary Planning Document)

Appendix 4: Consultation Log: Beulah Hill, Church Road and Harold Road Conservation Area Appraisal and Management Plan Supplementary Planning Documents

BACKGROUND DOCUMENTS: - LOCAL GOVERNMENT ACT 1972

[Understanding Place: Conservation Area Designation, Appraisal and Management, English Heritage (2011)

Croydon Local Plan, *Equality Impact Assessment*

Croydon Local Plan, *Sustainability Appraisal*