

<b>Subject:</b>	<b>Old Town Conservation Area Appraisal</b>		
<b>Date of Meeting:</b>	<b>22 September 2016</b>		
<b>Report of:</b>	<b>Acting Executive Director for Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tim Jefferies</b>	<b>Tel:</b> 293152
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<b>Ward(s) affected:</b>	<b>Regency</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The report seeks approval to consult on a draft Character Statement for the Old Town Conservation Area.
- 1.2 This document seeks to define the 'special architectural and historic interest' for which the area is designated. This helps inform future planning decisions in the area and its future management. It is also a useful document to engage the local community with the history and architecture of the area.
- 1.3 Production of a Character Statement is consistent with the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework (NPPF), the City Plan Part One and the Conservation Strategy 2015, as described further below. It is best practice to consult on draft Character Statements prior to adoption.

**2. RECOMMENDATIONS:**

- 2.1 That the draft Old Town Conservation Area Character Statement be approved for public consultation.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Old Town Conservation Area is located at the heart of the City of Brighton & Hove. It covers the historic extent of the medieval fishing town of Brighthelmstone, defined by the historic boundaries of North Street, East Street, West Street and the seafront. Its boundary is shown in appendix 1.
- 3.2 The Old Town Conservation Area was designated in 1973, and extended to include the promenade and beach area in 1977. A character study was produced by Brighton Borough Council in 1979. Some historic research and analysis for a proposed updated statement was undertaken in 2007, but not completed. As such, no up-to-date study exists. The Council's adopted Conservation Strategy (2015) gives priority to reviewing those conservation areas that do not have a current character statement in place. These are identified in the Strategy as Old Town, Queen's Park and College (paragraph 4.8).

- 3.3 A conservation area is defined as an area of “special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance” (Planning (Listed Buildings and Conservation Areas) Act 1990). The Act places a statutory duty on local planning authorities (LPA) to determine which parts of their area should be designated as conservation areas, and to review these areas from time to time (section 69). Furthermore, section 71 states that a LPA should from time to time formulate and publish proposals for the preservation and enhancement of conservation areas. Whilst there is no statutory requirement to prepare conservation area character statements, local authorities are encouraged by the NPPF to identify and assess the significance of all heritage assets and it is a necessary first step in fulfilling the statutory duty prescribed by section 71 above. This is reflected in City Plan policy CP15, which states that the “city’s historic environment will be conserved and enhanced in accordance with its identified significance”.
- 3.4 A conservation area character statement sets out the special interest of the area. A good understanding of what makes a conservation area special is key to its continued conservation; it gives justification and credence to the designation and forms the groundwork for later management and/or enhancement plans, where needed. An up-to-date character statement is important for making robust and enforceable planning decisions, and carries considerable weight at planning appeal. Such statements can offer constructive guidance for owners and their agents when preparing development proposals. Beyond this, they can also be useful in engaging the local community, as educational and informative documents.
- 3.5 The Hippodrome forms an important listed building at the heart of the Old Town. It is currently vacant and on the Heritage at Risk register. It is a council priority to remove such assets from the Heritage at Risk register (Conservation Strategy, para 8.8). Brighton Hippodrome Community Interest Company has successfully obtained funding to undertake background studies in support of the potential redevelopment of the Hippodrome site. This included funding to produce a Conservation Area Character Statement.
- 3.6 Further to the Hippodrome, there are also proposals to develop other sites within and adjacent to the conservation area, which would also appropriately be informed by a Character Statement. Given the current development pressures in and around the area, the opportunity to produce this study is timely.
- 3.7 The draft Character Statement, included at appendix 2, has been produced by Brighton Hippodrome CIC’s appointed consultant ‘The Conservation Studio’. It is in line with current guidance from Historic England (2016) and informed by historic research and on site analysis. It has been produced in consultation with the council’s heritage team and a steering group (as described further below), representing the main local community and amenity groups with an interest in the area.
- 3.8 A final adopted Character Statement can be used to inform the future production of a management plan for the conservation area. Such a plan would identify parts of the area where beneficial change is needed and set out proposals for achieving that change.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The only alternative options would be to continue without a character statement in place or to delay its production. Continuing without a character statement would not be good practice and would risk the council failing its statutory duty under section 69 of The Act. To delay the production of the character statement would mean the council failing to take the opportunity of the external funding already in place.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 A steering group was formed to involve the main community and heritage groups with an interest in the Old Town. Groups invited to join the steering group were: Brighton Hippodrome CIC; Ward Councillors; The Lanes Business Network; Ship Street, Ship Street Gardens and Middle Street Residents Association; Clarendon Mansions Residents Association; the Brighton Society; the Regency Society; and Historic England.
- 5.2 Two steering group meetings were held in March 2016. The group was also invited to provide written comments on two initial drafts of the document, in order to highlight any significant changes needed. The verbal and written feedback from the steering group has been incorporated by the consultant, as appropriate, in the draft Conservation Area Character Statement.
- 5.3 This report seeks approval to hold formal public consultation. This consultation would be held over a four week period. Copies of the draft character statement will be made available online and in Customer Service Centres. The consultation will be advertised via the council's website, social media and in relevant public buildings. Stakeholders (including the steering group and the Conservation Advisory Group (CAG)) will be notified of the consultation by email. Relevant council departments will also be consulted.
- 5.4 Responses to the consultation and any associated amendments to the Character Statement will be reported to a future Economic Development & Culture Committee meeting.
- 5.5 The above community engagement and the proposed formal consultation are in line with the Community Engagement Framework and Standards, and the Statement of Community Involvement (2015).

#### **6. CONCLUSION**

- 6.1 Conservation area designation provides an important mechanism through which to protect and manage historic areas. This is recognised through national and local planning policy. Conservation area character statements define the character and 'special interest' of the area. They are useful documents to inform the planning process, future management of the area and to engage with the local community.

- 6.2 This report seeks approval to consult on a draft character statement for the Old Town Conservation Area. Although it is not a statutory requirement to consult on a character statement prior to designation, it is best practice to do so.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Brighton Hippodrome CIC financed the consultant fees for production of the draft Conservation Area Character Statement.
- 7.2 City Council staff resources will be required from the Policy, Projects and Heritage team within the City Development and Regeneration service to undertake the formal consultation, finalise the document following consultation and to seek adoption of the final document by the Economic Development & Culture Committee. The costs associated to the recommended public consultation will be funded from existing revenue budget within the City Development and Regeneration service.
- 7.3 Responses to the consultation and associated financial implications will be reported to a future Economic Development & Culture Committee meeting. It is anticipated that the Old Town Conservation Area Character Statement will assist owners, developers, members of the public, council staff and councillors by providing a clear set of criteria against which to make planning decisions, which will contribute towards greater service efficiency and effectiveness.

*Finance Officer Consulted: Steven Bedford*

*Date: 23/08/16*

### Legal Implications:

- 7.4 The council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to review its area, from time to time, to determine whether any parts or further parts should be designated as conservation areas. The Conservation Area Character Statement provides a mechanism through which to review the area and to define its special interest. There is no statutory requirement for public consultation prior to designation/review but this is considered best practice.
- 7.5 No adverse human rights implications arise from the recommendation in the report.

*Lawyer Consulted:*

*Hilary Woodward*

*Date: 22/08/16*

### Equalities Implications:

- 7.6 An Equalities Impact Assessment (EQIA) of the Conservation Service was undertaken in 2010 and covers work on conservation area designation and review.

Sustainability Implications:

- 7.7 The proposals in this report have no substantial impact upon the ten One Planet Principles of Sustainability. It contributes to the Culture & Community Principle by nurturing a sense of place which builds on local cultural heritage.

Any Other Significant Implications:

- 7.8 None have been identified.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Old Town Conservation Area Boundary Map
2. Draft text for the Old Town Conservation Area Character Statement

### **Documents in Members' Rooms**

1. Draft text for the Old Town Conservation Area Character Statement

### **Background Documents**

1. Brighton & Hove City Council Conservation Strategy 2014
2. Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management 2016