

Brighton & Hove City Council

Tourism, Equalities, Communities and Culture Committee

Agenda Item 12

Subject: Update on Conservation Area at Risk

Date of meeting: 16 June 2022

Report of: Director of Economy, Environment and Culture

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Wards affected: Hangleton & Knoll, Hanover & Elm Grove, Regency, Queen's Park, St Peter's & North Laine, Westbourne.

For general release

1. Purpose of the report and policy context.

1.1 This report provides an update on those conservation areas that are on the current Historic England register of heritage at risk, which is updated annually, and action that has been taken, or is being taken, to address the reasons for the 'at risk' status in each case. This is in line with the council's approach as set out in the published Conservation Strategy (2015)

2. Recommendations

2.1 That Committee notes the action being taken to address the reasons why each conservation area is deemed to be 'at risk' in each case.

2.2 That Committee notes that Historic England has been asked to remove the Queen's Park conservation area from the heritage at risk register for 2022, following the successful measures outlined in this report.

3. Context and background information

3.1 Historic England updates its heritage at risk register annually, publishing regional registers each autumn. Conservation areas are assessed against Historic England's criteria based upon information supplied by local planning authorities. There are currently six conservation areas in Brighton & Hove on the regional register for 2021:

- Benfield Barn
- East Cliff
- Old Town
- Queen's Park
- Sackville Gardens
- Valley Gardens

- 3.2 Officers have asked Historic England to remove the Queen's Park conservation area from the 'at risk' register for 2022 as a result of the measures taken to address the reasons for the 'at risk' status. In 2018 a Character Statement for the area was approved and published and in 2021 an Article 4 Direction was approved for the area, to restrict permitted development rights that were beginning to lead to an incremental loss of historic features. This came into force on 4 June 2022.
- 3.3 There has also been clear progress in respect of the Old Town and Valley Gardens conservation areas and these are moving towards a point where officers could recommend their removal from the 'at risk' register. In 2017 a Character Statement was published for the Old Town conservation area, followed by a Management Plan in November 2018. New development such as Hannington Lane and the conversion of the of the grade II listed Post Office buildings in Ship Street/Clarence Yard to mixed residential and commercial uses have re-invigorated the area. Nearby, the grade II listed Clarence House in North Street, which was long-vacant, is undergoing comprehensive restoration for residential and commercial uses.
- 3.4 The principal area of remaining concern in Old Town is Middle Street, which was identified in the Management Plan as a priority for improvement. Much of this concern relates to the long-vacant Hippodrome site. Good progress has been made with the carrying out of initial repairs to the building, including a new roof over the original, since urgent works were authorised in September 2020 and the site entered new ownership. Repairs are ongoing and planning applications for reuse and full restoration of the listed buildings are expected soon. In addition, a substantial scheme of repairs to the grade II* listed Synagogue has been agreed and is set to commence in late summer, whilst the former nightclub site near the southern end is undergoing redevelopment for the approved hotel use.
- 3.5 Valley Gardens conservation area has been at risk for a number of reasons but in particular the poor condition of the public realm, including the gardens. The successful implementation of the Valley Gardens phases 1 and 2 scheme (as supported by policy SA3 of City Plan Part One) has made a significant difference in this respect. The planned implementation of Phase 3 will see further significant improvement, especially to the settings of the Royal Pavilion and the War Memorial. The improvements to the public realm have encouraged private investment and there has been a clear improvement in the condition of the historic buildings fronting the gardens and a reduction in vacant buildings. The grade I listed Marlborough House remains long vacant and a matter of concern, though the building has been subject to repairs and is considered to be secure and weathertight.
- 3.6 Progress has also been made at Benfield Barn conservation area, where officers have worked with the lessee to achieve the removal of extensive ivy and other vegetation growth from the grade II listed barn and, subsequently, the clearance of overgrowth to the historic flint walls and enclosures to the rear of the barn, so that their condition could be assessed. Appropriate repair of these walls will be sought. In the longer term, policy for the sympathetic repair and re-use of Benfield Barn and its associated structures and walls is set out in policy SA7 of the submission version of City Plan Part Two, linked to limited development of Benfield Valley in a way that would preserve the semi-rural setting of the barn.

- 3.7 The 'at risk' status of East Cliff conservation area arises particularly from the condition and 'building at risk' status of the Madeira Terraces. A planning application for the stage 1 repair and restoration of 40 arches, to include a new lift, is expected shortly. Additionally, there is a need for an Article 4 Direction to control certain permitted development rights that are resulting in the incremental loss of original features, as previously highlighted in the East Cliff Conservation Area Study and the Conservation Strategy.
- 3.8 The 'at risk' status of Sackville Gardens conservation area, which contains a high proportion of non-listed single dwellinghouses, arises again from the need for an Article 4 Direction to control certain permitted development rights that are resulting in the incremental loss of original features to the houses, as highlighted in the Sackville Gardens Conservation Area Character Statement and the Conservation Strategy.
- 3.9 No further conservation areas are considered to warrant inclusion on the 'at risk' register at this time, but there are concerns over the Tongdean conservation area, where two of the original late Victorian and Edwardian houses have been demolished following planning approvals. Those applications attracted significant local support. Further loss of original houses may tip the balance to a point where insufficient architectural and historic interest remains. Ward councilors have been consulted on whether residents of the area wish to see continued conservation area designation and they have indicated continued support for the conservation area. This conservation area will therefore be carefully monitored.

4. Analysis and consideration of alternative options

- 4.1 This report is for information only.

5. Community engagement and consultation

- 5.1 No engagement or consultation was specifically undertaken in respect of this report, which is for information only. The Conservation Strategy of 2015 sets out the approach and priorities for addressing conservation areas at risk and was subject to public consultation. It will be reviewed by 2025. As stated in paragraph 3.9, ward councilors were consulted in respect of potential action on the Tongdean conservation area.

6. Conclusion

- 6.1 As set out in the Conservation Strategy, the council is committed to reducing the number of conservation areas at risk in Brighton and Hove, but some of these areas have faced complex challenges. We are now in a position to recommend removal of Queen's Park conservation area from the Historic England 'at risk' register and strong progress has been made in particular towards removing Old Town and Valley Gardens conservation areas from the register.

7. Financial implications

- 7.1 The actions undertaken by the Local Planning Authority to address the reasons for conservation areas being at risk have been funded from within the revenue budget of the Planning service and particularly that of the Policy, Projects and Heritage team, except where approved capital projects (such as Valley Gardens phase 1 and 2 and phase 3 and Madeira Terraces restoration) have been referenced. This will continue to be the case and no new or additional financial implications have been identified at this stage.

Jill Scarfield

Date consulted 1/6/22

8. Legal implications

- 8.1 The council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to review its conservation areas, from time to time, to determine whether any parts or further parts should be designated as conservation areas. Section 71 of the Act places a duty on the council from time to time to formulate and publish proposals for the preservation and enhancement of conservation areas.

Hilary Woodward

Date consulted 19/05/22

9. Equalities implications

- 9.1 None have been identified that are specific to this report.

10. Sustainability implications

- 10.1 An active approach to conserving and enhancing mixed-use conservation areas at risk, such as Old Town, Valley Gardens and East Cliff, will help the smaller 'high street' local businesses in those areas to thrive.

1. Background documents [delete if not applicable]

1. The Conservation Strategy (2015)