

Subject: Ovingdean Conservation Area Review
Date of Meeting: 7 July 2011
Report of: Strategic Director, Place
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Key Decision: No
Wards Affected: Rottingdean Coastal

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval to consult on a character statement for the Ovingdean Conservation Area and on changes to its boundary.
- 1.2 The production of Character Statements for conservation areas is strongly encouraged by Government policy and by English Heritage. They are a key way in which the Council can conserve the heritage of the city. Such statements enable the Council to consider planning applications that affect a conservation area in a consistent manner, set against a clear understanding and definition of the area's special interest, and allow local residents and businesses an opportunity to contribute to and agree those characteristics that make the area special. They also enable future improvements to the conservation area to be identified.
- 1.3 In line with the Council's Conservation Strategy (2003), a review is being undertaken of the five 'downland village' conservation areas. Ovingdean is the last of these areas to be reviewed, following the adoption of Character Statements for Rottingdean (26 May 2011), Patcham (23 Dec 2010), Portslade Old Village (16 Sep 2010) and Stanmer (25 March 2010).

2. RECOMMENDATION:

- 2.1 That the Cabinet Member for Planning, Employment, Economy & Regeneration approves the draft Ovingdean Conservation Area character statement and boundary changes for public consultation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Conservation areas were introduced through the Civic Amenities Act (1967). The Government's Planning Policy Statement 5 on Planning for the Historic Environment (PPS5) and policy HE6 of the Brighton & Hove Local Plan 2005 stress the need to define and record the special interest, character and appearance of conservation areas, through regularly updated character appraisals. These provide a basis on which to determine whether any parts or

further parts should be designated. There is no statutory requirement for public consultation prior to designation but it is highly desirable to do so.

- 3.2 The Ovingdean conservation area was designated in 1970 and no up to date character statement for the area exists. Its existing boundary is appended at annex 2. An area of the Ovingdean Conservation Area, unaffected by the proposed boundary changes, falls within the South Downs National Park.
- 3.3 The draft conservation area character statement, appended in annex 1, is in line with current guidance from English Heritage (2006) and informed by historic research and on-site analysis. It describes the overall character of the area and notes three character areas: the Church and Manor, Ovingdean Road and Ovingdean Hall.
- 3.4 The review makes a number of recommendations, including a change to the boundary, as illustrated in annex 3, and an Article 4(1) Direction to control incremental alterations to dwelling houses within the area. This follows on from the identification of a threat to traditional architectural features such as timber sliding sash windows and characteristic plain clay tile roof slopes.

4. CONSULTATION

- 4.1 The review of the Ovingdean Conservation Area has been welcomed by Ward Councillors and the Ovingdean Residents and Preservation Society. The South Downs National Park Authority (SDNPA) will also be notified of the review in so far as the Conservation Area encompasses open pasture land within the Park area, and therefore for which it has responsibility. The SDNPA's conservation officer will be invited to contribute to the review and to respond to any representations made regarding land within the SDNP area.
- 4.2 This report requests approval to hold formal public consultation. Ward Councillors, the Ovingdean Residents and Preservation Society, Brighton Society, Regency Society, national amenity societies, English Heritage, the South Downs National Park Authority and the Council's conservation advisory group will all be formally consulted. Council managers responsible for managing the area's properties and highways will also be consulted. The format of local consultation and any public meeting will be agreed in advance with Ward Councillors.
- 4.3 The consultation will take place over six weeks. The draft document will be available to view on the Council's website, linked to the Council's consultation portal and hard copies made available at City Direct and Rottingdean Library. Posters will be displayed in the area. The consultation will invite specific comment on the draft character statement, on the making of an Article 4 direction, and on the proposed amendment to the conservation area boundary.
- 4.4 Responses to the consultation and any consequent amendments to the character statement and its recommendations will be reported to a future CMM meeting.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The cost of the public consultation on the draft Ovingdean Conservation Area Review will be met from within the Design and Conservation Team's existing revenue budget and will largely consist of officer time.

Finance Officer Consulted: Karen Brookshaw

Date: 22/06/11

Legal Implications:

- 5.2 The Council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("the 1990 Act") to review its area, from time to time, to determine whether any parts or further parts should be designated as conservation areas. There is no statutory requirement for public consultation prior to designation but this is considered best practice. The 1990 Act also grants local planning authorities a power to vary or cancel such designations.
- 5.3 Should any change to that part of the Ovingdean Conservation Area falling within the SDNP be proposed the consent of the SDNPA, as the responsible local planning authority, would be required.
- 5.4 No adverse human rights implications are considered to arise from the Report

Lawyer Consulted: Hilary Woodward

Date: 24/06/11

Equalities Implications:

- 5.5 None have been identified. An Equalities Impact Assessment has not been carried out because the report does not concern matters of new primary policy.

Sustainability Implications:

- 5.6 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy (2005) (sustainable consumption and production, climate change, natural resource protection and sustainable communities).

Crime & Disorder Implications:

- 5.7 None have been identified

Risk and Opportunity Management Implications:

- 5.8 The failure to consult on the draft review, and the failure to maintain the character and appearance of the area and its historic buildings, could lead to adverse publicity for the Council.

Corporate / Citywide Implications:

- 5.9 The proposals accord with the corporate priority to protect the environment whilst growing the economy. More specifically the guidance is a response to the Council's priority to protect the historic built environment.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None considered

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 Ovingdean Conservation Area does not have an up-to-date, in depth character appraisal. A review of the Conservation Area and its boundary would accord with the Council's adopted Conservation Strategy (2003), and with national and Government guidance (English Heritage Guidance 2006, Planning Policy Statement 5: Planning for the Historic Environment) and with local plan policy HE6.
- 7.2 Public consultation on such documents is in line with national guidance and with the Council's adopted procedures and strategy.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Ovingdean Conservation Area Review – Black and White Version
2. Existing Conservation Area Boundary
3. Proposed Boundary Changes

Documents In Members' Rooms

1. Draft Ovingdean Conservation Area Review – Colour Version

Background Documents

1. The Conservation Strategy (Brighton and Hove City Council 2003)
2. Guidance on Conservation Area Appraisals (English Heritage 2006)