

Subject:	Old Town Conservation Area Character Statement		
Date of Meeting:	9 March 2017		
Report of:	Executive Director for Economy, Environment and Culture		
Contact Officer:	Name:	Tim Jefferies	Tel: 29-3152
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Ward(s) affected:	Regency		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report summarises the response to public consultation on the draft Old Town Conservation Area Character Statement and seeks approval for the final document.
- 1.2 The Character Statement seeks to define the 'special architectural or historic interest' for which the area is designated. This helps to inform future planning decisions in the area and forms a sound basis the area's future management.
- 1.3 Production of a Character Statement is consistent with the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), the National Planning Policy Framework (NPPF), the City Plan Part One and the Conservation Strategy (2015), as described further below.

2. RECOMMENDATIONS:

- 2.1 That the Old Town Conservation Area Character Statement be approved (Appendix 1).

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Old Town Conservation Area 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.
- 3.2 The 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 but no up-to-date document exists. The council's adopted Conservation Strategy (2015) gives priority to reviewing the three conservation areas that do not have a current character statement in place.
- 3.3 The Old Town Conservation Area was added to the Historic England 'Heritage at Risk Register' in 2016. There are a number of reasons for this, including the lack

of an up-to-date character statement and management plan and the presence of several key vacant buildings in the area, such as the Hippodrome, the former Post Office, the nightclub site in West Street/Middle Street and properties in Ship Street Gardens.

- 3.4 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. It also states that an LPA should from time to time formulate and publish proposals for the preservation and enhancement of a conservation area. Whilst there is no statutory requirement to prepare conservation area character statements, local authorities are encouraged by the NPPF to identify and assess their significance..
- 3.5 A good understanding of what makes a conservation area special is key to its continued conservation; it gives justification and credence to the designation. An up-to-date character statement is important for making robust and enforceable planning decisions and carries considerable weight at planning appeal.
- 3.6 A character statement can also be used to inform the future production of a management plan. Such a plan would identify parts of the area where beneficial change is needed and set out proposals for achieving that change.
- 3.7 The draft Character Statement, up to the consultation state, was funded by the Hippodrome Community Interest Company (CIC) and was produced by the CIC's appointed consultant in consultation with the council's Heritage team and a steering group representing local community and amenity groups with an interest in the area (including ward councillors).

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The only alternative option would be to continue without a character statement in place. This would not be good practice and would risk the council failing its statutory duty under section 69 of the Act. It would also result in the continued presence of the conservation area on the 'at risk' register.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The draft Character Statement, which was approved at this committee on 22 September 2016, was subject to a six week period of public consultation during the autumn. Eight responses were received in this period and a detailed response was made by the Conservation Advisory Group (CAG). Subsequently a comment was also received from Hove Civic Society.
- 5.2 A summary of responses received and how these have been addressed, or not, in the final document is included at Appendix 2. All of the comments were considered at a meeting of the Old Town steering group and the response agreed.
- 5.3 A significant number of the comments made fall outside the scope of a character statement and instead would be matters for the future management plan.

- 5.4 CAG and two other respondents considered that the conservation area boundary should be revised to take in properties on the west side of Old Steine, which currently fall within the Valley Gardens conservation area. This has been considered with reference to historic maps and these show that there was no clear historic division between these areas so any redrawn boundary would be arbitrary. Rather it is more relevant to consider the character and appearance of these areas as they are today and in this respect it is considered that Old Steine more properly belongs wholly within Valley Gardens.
- 5.5 The response from CAG also sought a more lengthy and detailed Character Statement, with descriptions of all streets. That response also identified that the format of the draft Character Statement does not fully follow the format in Historic England guidance. This issue has been discussed with Historic England and they have confirmed that they support local authorities in taking a tailored approach to character statements and that concise documents are welcomed.
- 5.6 The CAG comments identified additional important views and in response to this the map showing key views has been reviewed and amended.
- 5.7 It was suggested that the Character Statement should refer to the 'at risk' status of the area but this document is the first step towards removing Old Town from the 'at risk' register so any such reference may soon become out of date.
- 5.8 Other more detailed comments, and the response to them, are set out at Appendix 2. These comments include a number of helpful matters of local historic detail and the document has been amended to incorporate these.

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. The Old Town Conservation Area Character Statement will inform the planning process and future management of the area and will be a first step towards its removal from the Historic England 'Heritage at Risk Register'.

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 from the Policy, Projects and Heritage team within the City Development and Regeneration service were used to undertake the formal consultation and finalise the document following consultation with the steering group. The costs associated to this were funded from existing revenue budget within the City Development and Regeneration service.

Finance Officer Consulted: Gemma Jackson

Date: 06/02/17

Legal Implications:

- 7.3 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.
- 7.4 No adverse human rights implications arise from the recommendation in the report.

Lawyer Consulted:

Name Hilary Woodward

Date: 3/2/17

Equalities Implications:

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

Sustainability Implications:

- 7.6 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:

- 7.7 None have been identified

SUPPORTING DOCUMENTATION

Appendices:

1. The Old Town Conservation Area Character Statement.
2. Consultation Report

Documents in Members' Rooms

1. The Old Town Conservation Area Character Statement.

Background Documents

1. Brighton & Hove City Council Conservation Strategy (2015).
2. Historic England Advice Note 1: Conservation Area Designation, Appraisal and Management (2016).

