

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 33

Brighton & Hove City Council

<b>Subject:</b>	<b>Designation of new and extended Conservation Areas</b>		
<b>Date of Meeting:</b>	<b>4 July 2008</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tim Jefferies</b>	<b>Tel:</b> 29-3152
	<b>E-mail:</b>	tim.jefferies@brighton-hove.gov.uk	
<b>Key Decision:</b>	No	Forward Plan No. N/A	
<b>Wards Affected:</b>	Queen's Park, Stanford and Withdean		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval for the designation of a new conservation area in Carlton Hill and an extension to the existing conservation area in Tongdean. This follows the results of public consultation on the draft proposals. The report further seeks approval of the Character Statement for each area.
- 1.2 The draft proposals were agreed at the Environment Committee on 24 January 2008. The proposed new conservation area in Carlton Hill is in accordance with priorities in the adopted Conservation Strategy (2003).

#### 2. RECOMMENDATIONS:

- 2.1 That the proposed Carlton Hill conservation area, as set out at Appendix 2, is approved and formally designated and the Character Statement for the area is adopted.
- 2.2 That the proposed extension of the Tongdean Avenue/Road conservation area, to include properties in Dyke Road Avenue as set out in Appendix 3, be approved and formally designated.
- 2.3 That the extended Tongdean Avenue/Road conservation area be renamed Tongdean and the revised Character Statement for the area is adopted.

### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

- 3.1 The Environment Committee, at its meeting of 24 January 2008, approved the new and extended conservation areas for the purposes of public consultation. All ward councilors were consulted together with the Director of Cultural Services and the Assistant Director of Environment (City Clean & City Parks).
- 3.2 Public consultation was carried out between 29 February and 11 April 2008. The proposals were publicised in the March edition of City News and a press release was issued. English Heritage, the Georgian Group and the Victorian Society were all consulted. Locally, the Brighton Society, The Regency Society of Brighton and Hove and the Hove Civic Society were consulted.
- 3.3 Additionally with regard to Carlton Hill, consultation was undertaken with the Turner Area Partnership, the Friends of Turner Park and the Cathedral Group (developers of the nearby Circus Street site). Letters were also sent to the occupiers of the significant community buildings within the area: the Brighton Unemployed Centre (Prior House), the Sussex Deaf Centre, the Turnerland nursery and the Greek Orthodox Church of the Holy Trinity.
- 3.4 With regard to Tongdean, a consultation letter was sent to all owner/occupiers of properties within the proposed extension.

#### **Proposed new Carlton Hill Conservation Area**

- 3.5 The proposed new conservation area in Carlton Hill is a small mixed-use urban area situated on the steep slope to the east of Valley Gardens. It is based around the public open space of Turner Park and comprises a cluster of statutorily listed buildings dating from the first half of the 19<sup>th</sup> century. The area is broadly bounded by Sussex Street to the north, Carlton Hill and Mighell Street to the south, St John's Place to the east and Tilbury Place to the west. (See Appendix 2)
- 3.6 The proposal for the conservation area was supported by ward councillors Ben Duncan, Rachel Fryer and Paul Steedman. It was also supported by the Friends of Turner Park, the Brighton Society, the Regency Society of Brighton and Hove and by a resident of Berriedale Avenue in Brighton
- 3.7 Objections were received from the Turner Area Partnership and from planning consultants acting on behalf of the Cathedral Group (developer of the Circus Street site). Concerns were also raised by the Director of Cultural Services. All these are summarised at Appendix 1 together with the officer response.
- 3.8 The Character Statement has been revised to take into account some of the comments received, particularly with regard to key views out of the conservation area.

- 3.9 In view of the fact that most of the buildings within the area that make a positive contribution to it are already listed, and that much of the proposed area is public open space, it is not considered that the designation will have a significant impact on property owners or have significant resource implications

### **Proposed extension to Tongdean Conservation Area**

- 3.10 It is proposed to extend the Tongdean Avenue/Road conservation area to include a group of large houses on either side of Dyke Road Avenue, north and south of Tongdean Road, together with the remnants of Tongdean Farm in the area of The Spinney. These houses mainly date from the Edwardian period.
- 3.11 The existing conservation area (designated in 1989) consists mainly of large inter-war houses and although the houses in Dyke Road Avenue mostly pre-date the period of the existing conservation area, they are unified by the characteristics of large, individually-designed houses on generously sized plots amidst extensive greenery, with substantial boundary walls providing coherence at street level.
- 3.12 The proposed extension to the conservation area was supported by Councillor Pat Drake as ward councillor and by Hove Civic Society, the Brighton Society and the Regency Society of Brighton and Hove. It was also supported by the owner/occupiers of 44 and 57 Dyke Road Avenue and 2 The Spinney. An objection was received from the owner/occupier of 36a Dyke Road Avenue. Objections were received from numbers and 37 and 46 Dyke Road Avenue to the inclusion of their particular properties within the conservation area. All these are summarised at Appendix 1 together with the officer response.
- 3.13 One change has been made to the proposed conservation area boundary as a result of the consultation – 37 Dyke Road Avenue has been deleted from the area.
- 3.14 It is further proposed to rename the conservation area as Tongdean. The revised Character Statement identifies that Dyke Road Avenue and Tongdean Avenue/Road are distinct character areas within the overall conservation area.
- 3.15 The conservation area extension would provide control over the demolition of properties and works to trees within the area. It would also provide some additional controls over extensions to properties within the area and this may result in some additional planning applications. However, given the small number of properties involved, the additional number of applications is not anticipated to be significant.

#### **4. CONSULTATION**

- 4.1 Details of public consultation carried out on the draft proposals and the results of that are included in section three above. Details of the responses are set out at Appendix 1. All ward councillors were consulted.
- 4.2 The Director of Cultural Services has been consulted on this report and has made no comment. The Conservation Advisory Group (CAG) has been consulted on the revised Character Statements and has fully endorsed them and supports the proposed designations.

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

##### Financial Implications:

- 5.1 The work undertaken on the designation of the new and extended conservation areas has been absorbed within existing staffing resources. There are no ongoing financial implications for the council relating to the designations.

*Finance Officer Consulted: Patrick Rice*

*Date: 28 May 2008*

##### Legal Implications:

- 5.2 The council has a duty under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 from time to time to review its area 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 the Government's PPG15 on Planning and the Historic Environment states that it is highly desirable that such consultation take place.

*Lawyer Consulted: Alison Gatherer*

*Date: 16 May 2008*

##### Equalities Implications:

- 5.3 An Equalities Impact Assessment has not been carried out because the report does not concern matters of new policy.

##### Sustainability Implications:

- 5.4 The proposals in this report have no substantial impact upon the four priorities of the UK's Sustainable Development Strategy. But in terms of Sustainable Consumption and Production, the retention of existing historic buildings reduces construction and demolition waste, whilst the retention of trees and gardens will help to ensure that natural habitats are protected.

##### Crime & Disorder Implications:

- 5.5 None have been identified

Risk and Opportunity Management Implications:

- 5.6 If the proposed conservation areas are not designated there would be a risk of the loss of historic buildings and walls and the erosion of historic character. This could lead to adverse publicity for the council. Some respondents have identified a potential risk to the redevelopment of the Circus Street site and the Edward Street Quarter (Amex) from the designation of the Carlton Hill conservation area. However, it is the view of officers that the designation presents no conflict with the adopted Supplementary Planning Documents for these sites and that it would not impose any significant additional constraint. The Character Appraisal has been revised to address concerns regarding potential impact on views out of the proposed conservation area.

Corporate / Citywide Implications:

- 5.7 The proposals accord with the priority to protect the environment whilst growing the economy. The Sustainable Community Strategy contains a commitment to implement the Conservation Strategy.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 None considered.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 It is considered that the proposed new and extended areas meet the criteria for a conservation area as set out in the council's adopted Conservation Strategy (2003) and accord with Government guidance (Planning Policy Guidance note 15: Planning and the Historic Environment). The results of public consultation were broadly supportive and some amendments have been made to the proposals in response to concerns raised.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Schedule of responses received
2. Carlton Hill conservation area – character statement
3. Tongdean conservation area – character statement

### **Documents In Members' Rooms**

None

### **Background Documents**

1. The Conservation Strategy (2003)
2. Minutes of the Environment Committee of 24 January 2008
3. Written responses to public consultation.