

# ENVIRONMENT CABINET MEMBER MEETING

## Agenda Item 74

Brighton & Hove City Council

<b>Subject:</b>	<b>Supplementary Planning Document: Architectural Features</b>		
<b>Date of Meeting:</b>	<b>17 December 2009</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>	<b>tim.jefferies@brighton-hove.gov.uk</b>	
<b>Key Decision:</b>	<b>No</b>		
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval of the Supplementary Planning Document (SPD) on Architectural Features, following public consultation. The SPD will form part of the Local Development Framework (LDF) and provide detailed policy guidance to support general planning policy on historic buildings and areas. It will assist in securing the preservation and enhancement of the city's historic built environment, which is given high priority by the Council. The SPD is attached at Appendix 2 and colour copies are available in the Members' Rooms.

#### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member adopts the draft Supplementary Planning Document on Architectural Features as part of the Local Development Framework, subject to any minor grammatical and non-material text and illustration alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.

#### 3. RELEVANT BACKGROUND INFORMATION

- 3.1 An SPD contains detailed policy guidance to elaborate upon the general policies in the higher level LDF documents. Once adopted, an SPD is one of the material considerations that can be taken into account when determining a planning application.
- 3.2 The aim of this SPD is to provide detailed policy guidance on the repair, restoration and enhancement of historic buildings. It applies to statutorily listed buildings, locally listed buildings and historic buildings within conservation areas and registered parks or gardens. It focuses on those original external architectural features of buildings that give them their historic character and which cumulatively contribute to the attractiveness of the street scene, from roofs and walls to door and windows.
- 3.3 The document particularly concentrates on the typical Regency, Victorian and Edwardian buildings that make up the majority of the city's historic built environment and which are in residential or small-scale commercial use.

- 3.4 This SPD sets out the general conservation principles that should be applied to all historic buildings. It then sets out detailed guidance on the different architectural features that typify the form and appearance of Brighton & Hove's historic buildings: roofs; bays, gables and porches; facing materials; mouldings; windows; doors, balconies and canopies; and boundaries and paths.
- 3.5 The draft SPD takes into account current Government advice in Planning Policy Statement 1 (PPG 1): Delivering Sustainable Development and PPG 15: Planning and the Historic Environment as well as its draft successor, Planning Policy Statement 15: Planning for the Historic Environment.

### **How the SPD has changed**

- 3.6 The main change to the SPD has been the deletion of those sections of the draft SPD that provided technical guidance on the maintenance and repair of historic buildings. It was felt by some respondents, notably English Heritage, that the draft SPD did not make its function obvious and that in trying to be both a planning policy document and a public advice document its focus was unclear and the document repetitious.
- 3.7 It is also the case that the majority of critical comments on the draft SPD concerned the technical guidance, which in attempting to be concise had oversimplified some issues. The actual policy content of the draft SPD was largely supported and it is this policy content that should be the function of an SPD.
- 3.8 The technical advice aspects of the draft SPD can be the subject of future non-statutory documents, which can be the subject of separate consultation with interested groups. This approach of separating policy from technical guidance reflects the approach taken by the Government in the recent draft PPS15 on Planning for the Historic Environment.
- 3.9 The other main change to the SPD has been the deletion of the section on the retention of historic buildings, as this simply repeated existing national and local policy and was therefore unnecessary.
- 3.10 These and other changes made in response to public consultation are set out in Appendix 1. The changes include more references to local examples, more illustrations and the introduction of numbered paragraphs.
- 3.11 The repair and re-use of historic buildings, including the retention of historic fabric, minimises wasted resources and so makes a significant contribution to environmental sustainability. The policy on Windows has been slightly reworded to reflect changing technology in double-glazing so that it strikes an appropriate balance between issues of aesthetic value or historic authenticity and those of energy efficiency.

### **Sustainability Appraisal**

- 3.12 The legislation requires that an SPD be subject to a Sustainability Appraisal. This is a separate document which critically examines the SPD's objectives and options and tests them against the principles of sustainable development.

However, it is a two way process. So in turn, the Sustainability Appraisal contributes to the content of the SPD.

3.13 A draft Sustainability Appraisal (SA) was produced to accompany the draft SPD and the recommendations of the draft SA were incorporated into the draft SPD. Two comments were received on the draft SA during the formal consultation period but no significant changes were made to the final SA or the SPD as a result of these.

3.14 Copies of the Sustainability Appraisal are available in the Members' Rooms.

#### **4. CONSULTATION**

4.1 A draft SPD was approved at the Cabinet Member Meeting on 27 January 2009. Formal public consultation on the draft SPD was carried out for six weeks between 5 February 2009 and 19 March 2009 and, in accordance with the legislation, a public notice was published in The Brighton & Hove Leader. The draft SPD was sent to all local amenity societies and conservation groups and to all local planning agents on the Agents Forum mailing list. It was also sent to English Heritage and reported to the Conservation Advisory Group. An article about the draft SPD appeared in the March edition of City News and it was also publicised on the Brighton Business Website. In addition, a notification of publication of the draft was sent to all those persons and groups on the Local Development Framework consultation database.

4.2 A total of fourteen representations were received and these are summarised at Appendix 1, which also sets out how the SPD has changed, or not, in response to the representations.

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

##### Financial Implications:

5.1 Production and adoption costs for this SPD, including the required public notice in the local press, will be met from within existing revenue budget.

*Finance Officer Consulted: Patrick Rice*

*Date: 20/10/09*

##### Legal Implications:

5.2 The formal consultation on the draft SPD complied with regulations 17 and 18 of the Town and Country Planning (Local Development) (England) Regulations 2004 (as amended). The Sustainability Appraisal complies with Section 39 of the Planning and Compulsory Purchase Act 2004. No human rights implications have been identified as arising from the report.

*Lawyer Consulted: Hilary Woodward*

*Date: 20/10/09*

##### Equalities Implications:

5.3 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:

- 5.4 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 and timely repair of existing buildings reduces construction and demolition waste.
- 5.5 A separate Sustainability Appraisal has informed the content of the SPD.

#### Crime & Disorder Implications:

- 5.6 None have been identified.

#### Risk and Opportunity Management Implications:

- 5.7 The failure to retain and maintain historic buildings could lead to significant adverse publicity for the council.

#### Corporate / Citywide Implications:

- 5.8 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 and to enforce against inappropriate and unauthorised change.

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

- 6.1 Alternative options were evaluated as part of the Sustainability Appraisal, including an option that would have involved producing a non-statutory advice and information note and an option that would have relied on primary policy and Government guidance only. The option of producing an SPD was considered to be the most effective and sustainable option. This approach was also supported by early informal consultation.

### **7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 In order to be formally adopted as part of the Local Development Framework the SPD must be considered at the Cabinet Member Meeting. The recommendation to adopt the SPD has taken account of the representations received during public consultation and the changes made to the SPD as a result of those comments.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Table of responses to public representations
2. Supplementary Planning Document: Architectural Features

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

1. Supplementary Planning Document: Architectural Features
2. Sustainability Appraisal of the Architectural Features SPD

### **Background Documents**

1. Letters of representation
2. Minutes of the Conservation Advisory Group 17 March 2009
3. City News March 2009.

