

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 112

Brighton & Hove City Council

Subject: Stanmer Conservation Area Review
Date of Meeting: 25 March 2010
Report of: Director of Environment
Contact Officer: Name: Sanne Roberts Tel: 29-2261
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Key Decision: No
Wards Affected: Hollingdean & Stanmer

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks approval of the Stanmer Conservation Area Character Statement, following public consultation. The Character Statement seeks to define the character and appearance of the conservation area, which is important to preserve and enhance. A clear, comprehensive appraisal provides a sound basis for development control and for developing initiatives to improve the area. It will assist in securing the preservation and enhancement of the city's historic built environment, which is given high priority by the Council.

2. RECOMMENDATIONS:

- 2.1 That the Stanmer Conservation Area Character Statement be adopted, 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.
- 2.2 That an Article 4(2) Direction be made for unlisted dwellings in the village (numbers 11, 12 and 19 Stanmer Village) under the Town and Country Planning (General Permitted Development) Order (1995), as proposed by the Stanmer Conservation Area Character Statement and detailed in appendix 3.
- 2.3 That the proposed boundary changes, as set out in the Character Statement and in Appendix 4, be approved and formally designated.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Stanmer Conservation Area was designated in 1970. It was reviewed in 1986, at which point an extension to cover the parkland approach to the House was proposed. This was approved in 1988. A Historic Landscape Survey and Restoration Management Plan for Stanmer was undertaken by Colson Stone in 2003 and adopted by the Council.

- 3.2 The revised character statement identifies the special historic and architectural interest of Stanmer as an 18th century designed landscape estate. In reviewing the boundary, the draft statement suggested: Removal of the area to the south of the A27 (Removal E); Extension and rationalisation of the east and west boundaries to include the perimeter woodland belts (including inclusion of the southern part of Great Wood, Extension F); Inclusion of the walled garden to the northeast of the area; Extension to include a 19th century flint-walled agricultural structure to the north of the village. The draft statement also recommended the making of an Article 4(2) Direction to control incremental change to unlisted dwellings.

4. CONSULTATION

- 4.1 A draft Stanmer Conservation Area Character Statement was approved at the Cabinet Member Meeting on 17 December 2009. Formal public consultation was carried out for four weeks between 8 January 2010 and 4 February 2010. Copies of the draft statement were made available on the council's website and at CityDirect Offices. Local residents, businesses, Ward Councillors, Stanmer Park Stakeholders Group, local and national amenity societies, English Heritage and other key stakeholders were engaged in consultation. Posters were placed in the area. It was also reported to the Conservation Advisory Group (CAG). An article about the review appeared in the December 2009 / January 2010 edition of City News.
- 4.2 A total of fifteen representations were received and these are summarised at Appendix 1, which also sets out how the character statement has changed, or not, in response to the representations.

Main issues arising from the consultation

- 4.3 The results of public consultation were broadly supportive of the Stanmer Conservation Area Review and its recommendations, including the proposed boundary changes. The main issues raised during consultation related to the Boundary Review (Removal E and Extension F), Traffic Management, the proposed Article 4(2) Direction and the areas identified as inappropriate planting.
- 4.4 **Extension F** – to include the south part of Great Wood – was well received; however some respondents suggested extending the area to include the north part of the Wood. Reasons given to retain **Removal E** (area to south of A27) within the conservation area included concerns that it would be considered for development or lose its archaeological, landscape or wildlife significance.
- 4.5 Conservation Area designation is however not appropriate for protecting landscape features, as it is primarily concerned with the built environment, as set out in Planning Policy Guidance note 15: Planning and the Historic Environment para 4.6. Case law has determined that it is legitimate to designate the setting of the primary buildings in the area, or historic park and gardens containing structures that contribute to the area, but this does not apply to these areas. The north part of Great Wood feels removed from the parkland and House, being more closely associated with the designed farmland. The areas remain within the registered historic park and garden, confirmed National Park, a Site of Nature Conservation Importance and the proposed Local Nature Reserve, with Archaeologically Sensitive Areas and Scheduled Ancient Monuments located in

Great Wood. These designations more accurately reflect the significance of the areas. Removal of Area E from the conservation area has not been prompted by proposals for development on this site.

- 4.6 There has been some concern regarding re-opening discussions on **traffic management** in Stanmer Park. Concerns were also raised that current arrangements are inadequate but there is also an appreciation that the park should not become a car park. The statement does not seek to make any proposals or changes. It seeks to identify the impact of current arrangements on the character of the park and the general desire to minimise traffic impact on the village and park, to inform any future decisions. Representations emphasised the importance of the vacant plot in the village as residents parking, as opposed to development, and this is now reflected in the revised statement.
- 4.7 Comments received on the **Article 4(2) Direction** affecting the frontages of numbers 11, 12 and 19 Stanmer Village were generally supportive. There was some concern that the proposal would prohibit change. The Direction is, however, a method of controlling change rather than prohibiting it; ensuring the character of the area is preserved. Subject to approval, this proposal will therefore be brought forward. A list of those permitted development rights affected is included in appendix 3. Notice of the making of the Article 4(2) Direction will be served on the affected dwelling houses in Stanmer Village, and advertised in the Leader. Representations will be invited over a 21 day period, after which they will be considered and, if appropriate, the Direction will be confirmed.
- 4.8 Recommendations to remove/relocate **inappropriate planting** – especially that along the drive and fruit tree specimens – received several representations, both in favour and against. In conservation terms however, the trees remain inappropriate to the park, significantly altering its historic character. It is appropriate that the statement identifies this, in order to inform future decisions regarding the management of the park. In view of the results of public consultation, however, the recommendation will be amended to promote a long term strategy of non-replacement and future planting that is in-keeping with the historic character of the park.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Costs will comprise staff time and local press notices. These will be met from within the existing revenue budget.

Finance Officer Consulted: Derek Mansfield

Date: 11/02/10

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 should take place. The proposed

Article 4(2) Direction would be made under the Town and Country Planning (General Permitted Development) Order (1995 and as amended) and provides a means through which to fulfil the council's obligation to preserve and enhance the character and appearance of the conservation area. No adverse human rights implications are considered to arise from the Report.

Lawyer Consulted:

Alison Gatherer

Date: 15/02/10

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.

Crime & Disorder Implications:

- 5.5 None have been identified.

Risk and Opportunity Management Implications:

- 5.6 The failure to maintain the character and appearance of the area and its historic buildings could lead to significant adverse publicity for the council.

Corporate / Citywide Implications:

- 5.7 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 secure new uses for redundant historic buildings.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 None considered.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 Stanmer Conservation Area does not currently have an up-to-date character statement, and its boundary was last reviewed in 1986; prior to the 1987 storm and construction of the bypass. An updated appraisal and boundary review for Stanmer would accord with the council's adopted Conservation Strategy (2003), policy LU4 of the Stanmer Historic Landscape Survey and Restoration Management Plan (2003), and with national and Government guidance (English Heritage Guidance 2006, Planning Policy Guidance note 15: Planning and the Historic Environment). The results of public consultation are broadly supportive. The recommendation to adopt the Statement and implement its recommendations has taken account of the representations received during public consultation and the changes made to the document are a result of those comments. The revised wording of the character statement is attached in appendix 2. The making of an Article 4(2) Direction will help preserve the

character and appearance of the unlisted dwellings in the village through controlling incremental change.

SUPPORTING DOCUMENTATION

Appendices:

1. Table of responses to public representations
2. Stanmer Conservation Area Character Statement with proposed amendments highlighted
3. Permitted Development Rights removed by Article 4(2) Direction
4. Plan showing proposed boundary changes

Documents In Members' Rooms

None

Background Documents

1. Letters of representation
2. Minutes of the Conservation Advisory Group 02 February 2010
3. City News December 2009 / January 2010.

