

**DRAFT CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN SUPPLEMENTARY PLANNING DOCUMENTS FOR THE BRAMPTON CONSERVATION AREA AND WATLANDS PARK PROPOSED CONSERVATION AREA**

**Purpose of the Report**

That the Working Party considers the documents and the issues set out in this report and gives its views on recommendations going to Planning Committee on 26<sup>th</sup> April.

**Recommendations**

1. That the Working Party recommends to the Planning Committee that the draft Appraisal and Management Plan Supplementary Planning Document for The Brampton is approved for public consultation purposes.
2. That the Working Party considers the designation of a Conservation Area at Watlands Park.
3. That the Working Party recommends to the Planning Committee that in order to inform its decision on whether or not to designate a Conservation Area at Watlands Park that the the draft Appraisal and Management Plan Supplementary Planning Document for Watlands Park be approved for public consultation purposes
4. That the Working Party recommends to the Planning Committee that it makes an immediate Article 4 Direction with respect to 7 Park Avenue, Wolstanton on the terms set out below

**Reasons**

1. The SPDs seek to provide additional information to ensure that the Borough's Conservation Areas are safeguarded for the future to supplement the objectives and policies contained in the Joint Core Spatial Strategy. In accordance with the statutory regulations, an SPD has to undergo a consultation process before it can be adopted;
2. The report also proposes the designation of Conservation Area Status for Watlands Park, Wolstanton; and
3. It proposes the making of an Article 4 Direction which can help to protect historic buildings and the character and appearance of Conservation Areas and areas of high amenity.

**1.0 Background**

- 1.1 The Council has a statutory obligation to review its Conservation Areas from time to time and to consider new areas. It also must publish from time to time its proposals for the preservation and enhancement of Conservation Areas and consult the local community about the proposals.
- 1.2 A key purpose of a Conservation Area Appraisal is to define the special interest of Conservation Areas, identify the issues which threaten these special qualities and to provide recommendations and guidance to manage change and suggest potential enhancements through the Management Plan. The documents also consider the boundary of the Conservation Area or of any proposed Conservation Area.

## **2.0 Context**

- 2.1 The Brampton Conservation Area was designated in 1984 and the review now undertaken has reconsidered the special character of the Area, as well as its boundary. The proposed Management Plan suggests amending the boundary to include the adjacent streets at Gower Street and Granville Avenue (see The Brampton Appraisal map). The Sidmouth Avenue Residents Association has been involved in the review and is in support of the proposals to extend the Conservation Area boundary and to increase the level of control over permitted development.
- 2.2 Watlands Park Residents Association have approached the Council about designating a Conservation Area around the former Watlands Park estate. They have written a review of the area and it is proposed that a Conservation Area is designated around the former Watlands Park estate (see boundary on Watlands Park Appraisal plan).
- 2.3 The Watlands Park Residents Association have requested that the Council to consider issuing an immediate Article 4 Direction with respect to 7 Park Avenue, Wolstanton to remove permitted development rights that otherwise allow, without the need for planning permission, certain development. The reason given for the request is that the building has been empty for some time and is under pressure for overdevelopment and clearance of the site. The building is a fine detached Victorian villa set on a double plot with a high amount of original features including doors, a timber porch, ornamental brickwork, string courses and windows, etc. It also has many other internal features of interest, works to which would not come within planning control as a result of an Article 4 Direction.

## **3.0 Consultation Arrangements**

- 3.1 It is proposed to hold t consultations for The Brampton and the proposed Watlands Park Conservation Area with both Residents Associations.
- 3.2 The draft SPD's will be publicised on the web and made available in Newcastle Library. The Council will use its e-panel, its website to raise awareness of the SPD. A surgery will hopefully be held in a convenient venue on one day during the consultation process.
- 3.3 All representations received will be considered and a report submitted to the Working Party and Planning Committee with recommendations for changes, if appropriate, to the draft documents.
- 3.4 Once adopted, the SPD's (Conservation Appraisal and Management Plans) will carry more weight in giving advice and determining planning applications in the Conservation Areas or in any planning appeals.

## **4.0 Article 4 Directions**

- 4.1 National guidance indicates that the use of Article 4 Directions to remove national permitted development rights should be limited to situations where this necessary to protect local amenity of an area. A Direction can withdraw permitted development rights straight away; however it must be confirmed by the local planning authority within 6 months of coming into effect to remain in force. Immediate Directions can be made in relation to development permitted by Part 1 of Schedule 2 to the GPDO which grants permitted development rights to minor external changes for single dwellinghouses. An immediate Direction can only be made where the local planning authority consider the current permitted development presents an immediate threat to local amenity or prejudices proper planning of an area.

- 4.2 A number of Article 4 Directions have been made through the Appraisal process within other Conservation Areas in the Borough, such as Basford and Butterton. It is recommended within the documents for the Brampton and Watlands Park Conservation Areas (the latter if designated) that an Article 4 Direction is made on certain properties to control harmful development.
- 4.3 Article 4 Directions are a means to control kinds of development to windows, doors, roofs, frontages and boundary walls and which in the Council's opinion can harm the appearance or character of a Conservation Area.
- 4.4 After being vacant for more than a year and in a state of neglect number 7 Park Avenue within the proposed Conservation Area at Watlands Park, represents a particularly unaltered original red-brick detached property set in generous grounds with a large side garden and a coach house. It is currently in a vulnerable state of repair but has many original features, such as sash windows, which are all still in place, as set out above.
- 4.5 The Council received a planning application from a property developer in March 2015 at this address for a large extension and alterations to the existing house into 14 apartments, demolition of the coach house and widening of the access. This application was considered unacceptable, but before being determined, was withdrawn by the applicant. The plot was subsequently sold again at auction and has been boarded up with no indication as to the intentions of the new owners. The site has recently been cleared of unprotected trees and shrubbery and to date there has been no response from the owner to several attempts to make contact.
- 4.6 Although an Article 4 Direction is recommended with the Management Plan for Watlands Park (if designated as a Conservation Area), due to the relatively lengthy timescales involved, it would be some time before the Direction came into place and the features referred to would be at risk in the interim. In the circumstances it is proposed to recommend to the Planning Committee that an immediate Direction should be made at 7 Park Avenue, Wolstanton to help protect the features of the building and therefore the contribution that it makes to the appearance of the area. Once the Direction is made, notice is served on the owner, advertised locally and 21 days is given for any representations, after which the notice can be confirmed and will remain in force. If not confirmed the Direction will lapse.

It is being recommended that the Direction should remove the following permitted development rights:-

- The enlargement, improvement or other alteration of the house, any alteration to its roof, the construction or alteration of a porch, outbuildings, hard surfacing, satellite dishes, including erection (Classes A, C, D, E, F and H of Part 1 of Schedule 2)
- The erection, construction, maintenance, improvement or alteration of a gate, fence, wall, or other means of enclosure within the curtilage of a house (Class A of Part 2 of Schedule 2)
- The demolition of a building and all or part of a gate, wall or other means of enclosure within the curtilage of a house (Class B and C of Part 11 of Schedule 2)

## **5.0 Background Papers**

English Heritage: Guidance on conservation area appraisals and the management of conservation areas. Feb 2006

English Heritage: Understanding Place: Conservation Area Designation, Appraisal and Management

Planning Practice Guidance (PPG) (2014)